The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

Press and Dakotaian
WEEKLY EDITION
Subscription Price $2 per year
BOWEN & KINGSBURY
YANKTON DAKOTA
Thursday January 16 1879

Press and Dakotaian.

Volume 17 | YANKTON, DAKOTA TERRITORY, THURSDAY, JANUARY 16, 1879 | Number 39

G[illegible]
H W WHITE
[illegible] Muzzle Loading Rifles
H W WHITE Yankton D T
Cedar Street bet[illegible] 3rd and 4th Sts

[illegible]S

BRADLEY HOTEL
YANKTON - DAKOTA
H[illegible] B[illegible] Proprietor

PLYMOUTH HOTEL,
PORTLANDVILLE IOWA
O A STOEL, Proprietor

PROFESSIONAL
C J B HARRIS
Attorney—At—Law

FIRE AND LIFE INSURANCE CO S
Office Corner Third and Capital Streets

D FRANK ETTER M D
PHYSICIAN AND SURGEON
Y[illegible] T

G W ROBERTS
JUSTICE OF THE PEACE
Third Street opp Post Office
YANKTON DAKOTA

BOOTS AND SHOES
J J DUFFACK
BOOTS and SHOES
Long Boots Sewed $12 00
Pair Calf Boots 10 00
French Calf Pegged 8 00
American Calf 7 00

CUSTOM WORK
Made to Order and
Repairing a Specialty
Third Street Yankton

LUMBER
E. P. WILCOX
Pine Lumber,
Shingles Lath,
Doors Sash,
Blinds, Mouldings
BUILDING PAPER
AND FELT
SECOND & MULBERRY STS,
Yankton, - - Dakota

ACADEMY OF THE SACRED HEART
YANKTON, DAKOTA
[illegible] Sisters of Mercy [illegible]
Music Drawing, Painting Plain and Fancy Needle Work Wax Fruit and Flowers &c, &c
[illegible]
All Payments to be Made in Advance

TERMS PER SESSION
—o—

Board and Tuition including Vocal Music in Class Needle Work Bed and Bedding	$80 00
Washing	5 00
Music	30 00
Singing Lessons	10 00
Drawing	10 00
Painting	10 00
Painting in oil	15 00
Artificial Fruit and Wax Flowers	15 00
Lace Work...	10.00

[illegible]

The Independent [illegible] the arrival [illegible] of Peter Werner [illegible] would [illegible] a legal [illegible] appointed by the citizens of the Hills to visit Washington D C at an important congress to divide the territory on the [illegible] parallel to the Missouri river thence on the western side to the mouth of the Cheyenne river and thence along the Cheyenne and south fork of the Big Cheyenne to Wyoming territory. This is the first intimation we have had of a new division scheme on the part of the people of the Hills many reliable and intelligent gentlemen from that region having assured us that nothing of the sort was intended [illegible] It however such a division be desired it will meet with no opposition from this section provided it is carried out on the lines above indicated

The preliminary provisions for the census of 1880 took shape last Tuesday in the introduction of a bill by Representative [illegible] of New York making provision for this important work. The bill provides for the appointment of a superintendent of census by the president with the consent of the senate the clerical force to be appointed by the secretary of the interior, and one enumerator for each state and territory not exceeding [illegible] 150 to be nominated by the governors of the several states. The schedules of inquiries at the tenth census are the same as those contained in the act for taking the census of 1850 with some additional provisions. Three million dollars is fixed as the maximum cost of the census. The bill proposes aid to any state or territory which at the expiration of five years may take a census and report to the secretary of the interior, the government in such case to pay half the cost

[illegible]

The Chicago Inter Ocean as a political journal stands confessedly at the head of the Republican press of the west and as a readable and reliable newspaper has a reputation second to none. While it has never wavered in the support of party principles it has never failed to do its full duty of critical times and has never hesitated to strike hard blows in defense of the republican cause. It has never ceased to be a good newspaper independent of all political and party considerations. With the record of seven years conscientious work and efficient service behind it as a certificate of character the Inter Ocean enters upon the work of a new year. It enters upon the work of a new year [illegible] the most important perhaps in its history and the most momentous in the history of the republican party. It is already looming for the great battle of 1880 and its country has never felt the need of such reliable supporters [illegible] [illegible] It has been the good fortune of the Inter Ocean [illegible] has maintained [illegible] the fundamental principles of the party [illegible] in defending them and its fairness in discussing great political questions. As the Inter Ocean has sounded the key-note of the contests in past years republicans will look to it as a faithful guide and leader in the coming year. And they will not be disappointed. The paper will stand, as it always has stood, the organ of no faction or clique, battling in the front rank for the principles that have made the country what it is

OUR NEW YEAR'S NUMBER

Comments Thereupon By Various Dakota Newspapers

The New Year's [illegible] the Press & Dakotaian [illegible]

[illegible]

WINTER IN SAN JUAN

[illegible]

In [illegible] winter [illegible] during the [illegible] quantity at $40 to $50 per ton which is [illegible] [illegible] winter than in summer

ROUSSEAU'S DEBUT AS A MUSICIAN

[illegible]

Rousseau was 21 years old when finding himself at Lausanne and out of pocket he set up as a singing teacher from Paris and feeling apprehensive [illegible] for he could not so much as read an air at sight he made an anagram of his name and call himself Vaussore so that having previously changed his religion and his country there was very little left of his identity. This disguise seemed to increase his audacity, for he not only gave himself out as a composer but actually composed a piece which he offered for performance to an amateur a law professor M De Treytorens, who was in the habit of giving private musical entertainments. To the result of a fortnight's original and honest labor on this piece Rousseau appended as a minuet, a street air, minus the words of which he remembered the arrangement, made by a former musical acquaintance. On the eventful evening—but there can be no excuse for not quoting his own description. The performers have assembled, I bustle about explaining to each the nature of the movements, the manner in which the piece should be executed the parts to be repeated. They tune their instruments for five or six minutes, which seem to me as many ages. At length, all being ready, with a grand paper roll I give my conductor's stand the two or three taps of attention. Their noise ceases. I gravely begin to beat the measure and they commence * * No, never since the existence of French operas was there ever heard such a charivari whatever may have been thought of my pretended talent, the effect was worse than any one seemed to expect. The musicians were choking with laughter, the audience stared and would have fain stopped their ears, but there was no help for them. My rascally orchestra, intent on fun making, rasped away to split the ear of a deaf man. I had the endurance to keep straight on sweating great drops it is true, but restrained by shame from giving up and taking to my heels. By way of consolation, I heard those present whisper in each others ears, or rather in mine. This is altogether insufferable" another What bedlamite music" a third What a fiend's Sabbath' Poor Jean Jacque little did'st thou in that cruel moment anticipate the day when, before the king of France and all his court thy sound would excite murmurs of surprise and applause and when in all the boxes around thee the most lovely women would say to each other with suppressed voices, What charming sound!" What enchanting music!" But his cup of retribution was not full till the stolen minuet began to be read, which put the audience into a good humor, and drew forth the most flattering remarks on the great promise shown in it. The mortified conductor, had he declared all, must have confessed himself unable to follow the execution at any point, to judge whether the parts he had himself composed were ill or well played.

LATEST BY MAIL

New Orleans Jan [illegible] The legislature convened to [illegible] L C Moncure was elected speaker. The senate [illegible] the [illegible]

Paris Jan 8 A severe storm is reported from the central part of France. The wind blew with the force of a hurricane and much snow [illegible]

Harrisburg Pa Jan 8 The board of pardons have recommended the commutation of the death sentence imposed upon Bastus Patterson the ex-Catholic priest to imprisonment for life

Nashville Jan [illegible] The general assembly of Tennessee organized to-day by [illegible] Neal [illegible] speaker of the senate and H O Kelly [illegible] speaker of the house

[illegible]

Marshalltown Jan [illegible] Mrs C I We[illegible] [illegible] Henderson [illegible] the residence of [illegible] Hertford in this city [illegible] this morning and will visit Washington [illegible]

New Orleans Jan [illegible] The assignment of [illegible]

[illegible]

Salem Jan 7 The weather has moderated very greatly to-day the mercury rising several degrees above the freezing point. A furious snow storm set in about [illegible] and indications are that it will [illegible] to-night [illegible] moderate temperature

Hartford Conn Jan [illegible] Judge Carpenter [illegible] elected [illegible] [illegible] Hartford [illegible]

Newburyport Jan [illegible] [illegible] a badly frozen condition. One or both of his feet will probably have to be amputated. Clinton and his partner Perry D Short came here a short time ago from Elgin, Ill. Last Friday they started from House creek to hunt and separated and got lost. Perry has not yet been found and probably perished in the storm

Springfield Ill Jan 8 A number of the survivors of the Black Hawk war met here to lay and organized into a permanent society [illegible] Peter Burg president and Gen John A McClernand of this city secretary. Resolutions were adopted requesting the legislature to memorialize congress to pass a law pensioning Black Hawk settlers

Cheyenne, Jan 8—Richards, who has confessed to six murders, is an inmate of the Kearney jail and is becoming vicious. Last night he threatened the life of two of his fellow prisoners saying he would not be satisfied until he had killed two more. He is confined in a cell. His preliminary examination will take place on the 14th inst

Cheyenne Jan 8 George Clinton was brought here last evening in a badly frozen condition. One or both of his feet will probably have to be amputated. Clinton and his partner Perry D Short came here a short time ago from Elgin, Ill. Last Friday they started from House creek to hunt and separated and got lost. Perry has not yet been found and probably perished in the storm

Cincinnati O Jan 8—To-morrow's price current will contain the usual January preliminary report of pork packing in the west. The report shows the total packing at this date in six large cities, Cincinnati, Chicago St Louis, Milwaukee Indianapolis and Louisville to be 5,45[illegible],000, or 1,055,000 more than at the same time last year, making a total increase of 1,1[illegible]0,000 at all points

London Jan 7—Gen Grant left London derry to-day and has arrived at Belfast. At Coleraine a large delegation presented him with an address. Gen Grant arrived at Belfast yesterday where his reception was very cordial. Replying to a toast at luncheon he said that he admitted that all the compliments paid to his country were only its due and it would only be an enemy to both Great Britain and America who would raise his hand to cause difference between them

AN AMERICAN LADY SEES THE POPE

Correspondent Philadelphia Telegraph

We were quite a large American party. The ladies were required to dress in black, without gloves, and wear black lace veils a l'Espagnol. Arriving at the Vatican at noon, we were ushered into the audience chamber by one of the attendants dressed in scarlet silk brocade livery. About 400 visitors were present of all religions, many Catholics who had come long distances, others only curious to witness the solemn and imposing ceremonies. After waiting perhaps an hour, during which time, women like, we had thoroughly canvassed and criticised the audience, just as they were no doubt doing with us, Leo XIII, arrived accompanied by two Cardinals, but without any other pomp or display. Removing his hat and scarlet cloak (pardon me if I do not speak technically) he appeared in a pure white robe wearing a sash of moire antique ribbon and scarlet slippers embroidered with gold. The visitors sat in rows around the audience chamber, and accompanied by one of his Cardinals His Holiness, after having every person presented to him by name by the Cardinal, blessed each individual, all kneeling. Christians of all denominations kissed his hand, while the Catholics also kissed his ring and foot, many of those present brought rosaries also to receive the Papal blessing. It was really a most impressive occasion, the pope seemed most benign, happy and affectionate, and at the conclusion of his long ceremony, which lasted an hour and a half, he pronounced a general benediction from the Pontifical chair, and the audience dispersed

WILLIAM LLOYD GARRISON

The Old-time Abolitionist in a Letter to a Friend Gives His Views of Affairs in the South

New York Jan 4 The Tribune will print to-morrow a letter written by William Lloyd Garrison Dec [illegible] to a friend, in which he says he agrees in thinking that a marked change for the better is taking place in northern sentiment in relation to Hayes' policy but he is not taking time to reply [illegible] southern [illegible] Bloody Shirt [illegible] [illegible]

[illegible]

[illegible] and [illegible] always [illegible] [illegible] the northern working class [illegible] violent that she [illegible] growing [illegible] [illegible] government [illegible] [illegible] that is [illegible] [illegible] in congress [illegible] [illegible] hedge and hem [illegible] the numberless atrocities that have been perpetrated upon the southern [illegible] both white and black [illegible] [illegible] north to the extent [illegible] the [illegible] the [illegible] presidential election [illegible] [illegible] In [illegible]

IMPORTANT SUPREME COURT DECISIONS

[illegible]

Washington [illegible] [illegible] supreme court [illegible] [illegible] the United States [illegible] [illegible] Utah. This case involves the whole question of polygamy [illegible] the constitutionality of the law prescribing the [illegible] congress [illegible] Reynolds was indicted by the grand jury for contracting bigamous marriages. He was tried in the Third judicial district of Utah and found guilty. He appealed to the supreme court of the territory and finally [illegible] [illegible] the judgment of the lower tribunal and decided that congress has power to pass laws prohibiting polygamous marriages in Utah and that such laws are constitutional. [illegible]

[illegible]

THE CREDIT MOBILIER CASE

Supreme court [illegible] United States appellant vs the Union Pacific railroad company [illegible] appeal from the circuit court of the United States [illegible] Connecticut. This is a suit commonly known as the credit mobilier case [illegible] [illegible] circuit court of the United States [illegible] Connecticut [illegible] 4th section of the act of congress approved March 3 1873. Its main purpose was to protect [illegible] interest of the United States arising out of the [illegible] [illegible] In [illegible] defendants interposed a demurrer which was sustained by the circuit court and the bill of complaint was dismissed [illegible] that decree and the case brought to this court. The decision of the court sustaining the demurrer to the bill in equity is affirmed and the government suit is ordered dismissed

LEGISLATIVE COMMENCEMENTS

ILLINOIS

Springfield Jan 7—The various legislative caucuses were held to-night and nominations made as follows, by the republicans of the senate. Temporary president, J H Hamilton of McLean county secretary, J H Paddock assistants George Serrelleger of Whiteside, R W Gales of Kane sergeant at arms, J J Whetwell, assistants I Pennwell of Macoupin A Benjamin enrolling and engrossing clerks C H Greenleaf of Chicago assistants, Frank C Stevens of Dekalb W H Brown of Edgar, postmaster, Miss Kate C Hayes of Springfield assistant, Miss Lizzie Harris of Springfield policemen William Sullivan of Kane, Wm Irwin of Livingston Henry Wilson of Pratt. The republicans of the house nominated William A James for speaker

Democratic senate nominees. Temporary president, W R Archer of Pike secretary, I I Merritt of Sangamon

The democrats of the house nominated James Herrington of Kane for speaker and Jeremiah Crowley of Cook for clerk. The national caucus did not nominate, but announced their intention to do so to-morrow

NEBRASKA

Lincoln Jan 7 Both houses of the legislature effected permanent organization to day. C H Mathewson of Madison county was elected speaker of the house, and B D Slaughter of Lancaster, chief clerk. Hon L M Bennett of Douglass will be chairman of the ways and means committee, and W I Scott of York, chairman of the judiciary in the house. In the senate Sherwood Burr was chosen secretary and C H Babcock assistant secretary

MINNESOTA

St Paul, Jan 7—The Minnesota state legislature met to-day. C A Gilman of St Cloud was elected speaker of the house and C W Johnson of Minneapolis secretary of the senate. These were the republican caucus nominees. Adjourned till to-morrow, when the governor's message will probably be received

OHIO

Columbus Jan 7—The general assembly met to-day, 91 representatives and 25 senators being present. The governor's message shows the total funded debt of the state to be $6,500,000, total local debt, $11,000,000. He recommends increasing the militia to 10,000, and that they be placed on a war footing, with increased pay

SHE COULDN'T DO IT

A lady living in Chenango county, New York, met with a peculiar accident recently. Her provisions were all in the cellar, the bottom of which was covered with water to the depth of twenty inches. She could not live without eating, but wade she would not, so she launched two tubs and, putting a foot in each, set sail for a submerged pork barrel. Somehow the tubs seemed to have no interest in common. One took a northernly course, and the other steered due south. The fair voyager, unable to maintain herself in the attitude of Colossus of Rhodes, gave up the ships and sank between them into the waves. She sustained some bruises and experienced a severe nervous shock. The tubs at last advices were hull down on the horizon

Chew Jackson's best Sweet Navy Tobacco

NEWS BY TELEGRAPH

From the Daily Press and Dakotaian

CONGRESSIONAL

[illegible]

Washington Jan [illegible] [illegible]

[illegible]

Washington Jan 8—O[illegible] [illegible] Mrs [illegible] [illegible] Georgia [illegible]

Washington Jan [illegible] [illegible]

[illegible]

CAPITAL NOTES

Washington [illegible] Treasury [illegible] $[illegible] 600

Washington Jan [illegible]—Representative Harris [illegible]

Washington Jan 8 [illegible]

Washington Jan 8—[illegible] capital [illegible]

Mr S[illegible]

Washington [illegible] [illegible] committee will meet to-morrow

The secretary of the treasury [illegible] for another [illegible] 150 [illegible]

Washington Jan 8 The [illegible] committee [illegible]

Washington Jan 10—[illegible] [illegible] Dakota [illegible]

The [illegible] committee [illegible] Mr McMahon ordered an investigation of the [illegible] telegrams and [illegible] print [illegible] When the resolution was [illegible] Mr McMahon Gov Cox of Ohio [illegible] mittee said that it was well known that to [illegible] [illegible] the minority [illegible] McMahon [illegible] [illegible] the ground when [illegible] [illegible] the presidential election [illegible] Mr Butler was absent and [illegible]

HOME NEWS

Cincinnati Jan 8—The passenger train east on Cleveland Cincinnati & [illegible] railroad struck the [illegible] bridge near Springfield Ohio [illegible] throwing [illegible] [illegible] living [illegible] stream and had his [illegible] [illegible] known was also badly injured

A Middletown Ohio [illegible] [illegible] the paper works was suffocated by the fumes of a mixture of chlorate of potash and nitric acid the bottle containing it having been placed near him as a practical joke

New York Jan 8—Capt Bogardus began in the forenoon the feat of breaking six thousand glass balls out of 6,20[illegible]. At noon he had broken [illegible]2 and seventeen minutes later [illegible]000 without a single miss. Capt Bogardus after his [illegible] in shot took a recess of over half an hour. Returning, he fired at the rate of nine shots per minute, making the seven hundredth shot without missing. The one thousand shots was fired [illegible]

New York Jan 9—Capt Bogardus resumed shooting at 11 o'clock [illegible] had added 37 broken balls [illegible] thousand score of yesterday [illegible] The captain's thumb and [illegible] hands are damaged from blisters caused by the heating of his gun

San Francisco Jan 8—A party claiming to be P P O'Brien, his wife and daughter are registered at the Baldwin hotel. It is reported that O'Brien is a brother of the late W S O'Brien of the Bonanza firm, but intimate friends of the deceased millionaire are positive that he had but one brother, who died in Baltimore in 18[illegible] or 1862

Milwaukee Jan 8—The legislature met at Madison at noon. The senate was called to order by Lt Gov Bingham. Charles E Bross was elected chief clerk. Senator Prince, president pro tem. D M Kelly was elected speaker of the assembly, and John L Eldred chief clerk

New York Jan 8—The first through mail from the west over the New York Central railroad since last Thursday arrived at the office in this city at 5 o'clock this morning, and six hours later another mail arrived

Indianapolis, Jan 9—The general assembly convened to-day at ten o'clock in the new court house of Marion county. The senate organized by resolution declaring the following as the senate's choice for offices. Daniel D Dale democrat, secretary. Chas W Ward national, assistant secretary and Richard Hutcheson, democrat, doorkeeper. The lieutenant governor's vote was required to pass the resolution. Of three national senators Majors voted with the democrats and Poindexter and Dawes with the republicans. The house organized by electing Henry S Canthorne democrat, as speaker. Webster Dixon democrat, doorkeeper

Madison Wis Jan 9—Gov Smith's message was delivered to the legislature to-day. The contents are chiefly on state matters. The governor devotes considerable space to the tramp nuisance, and says, the assessments these criminal parties levy on individuals and communities nearly equals the whole state taxation and recommends vigorous measures of relief. In conclusions the governor says "I can not forbear to congratulate you that the United States has resumed its normal relations to its own citizens and the world at large by paying on demand all its matured obligations in money current wherever civilization extends that this has been accomplished without any unnatural contraction of the currency, or violent shock to the business interests of the people, that under the healthy stimulus of the assured stability in this respect, trade and commerce are reviving with exports largely in excess of imports, and that we may reasonably anticipate from this time forward a substantial, healthy and renumerating developement of all branches of business"

[illegible]

[illegible] Nebraska [illegible] [illegible] to them they have been very [illegible] [illegible] expressed a determination to [illegible] [illegible]

[illegible]

Omaha Jan 10 [illegible] [illegible]

The republican [illegible]

FOREIGN NOTES

[illegible]

St Petersburg, Jan 8 The Kharkoff veterinary school has been broken up and the Kieff university closed in consequence of riotous demonstrations of the students

London Jan 8 The strike of the colliers has advanced the price of coal and stocks are low. An improvement is expected

The ship builders of the Wear and Tees give notice of reduction of wages

The managers of the Midland railway expect an early termination of the strike on their road owing to a lack of funds to support it

Berlin Jan 8—The emperor is wonderfully well though still obliged to carry his arm in a sling. He drives out daily with the crown prince or a party

Berlin Jan 8 The German press manifests great satisfaction with the elections in France. The North German Gazette intimates that the republic can reckon on the sympathy of Germany as long as its policy reflects the moderate and reasonable views of Gambetta

London Jan 8—Lord Beaconsfield's gouty symptoms have greatly abated and his general health is unimpaired

A Lahore correspondent telegraphs that Gen Stewart's occupation of Kandahar will mark the conclusion of a definite period of the war. All will then have been done that the Quettah can possibly do before spring. It is true unlimited discretion is given Gen Stewart, and possibly he may project the occupation of Ghinsk which is an important strategetic position but unless something unforseen occurs the army of Afghanistan will furnish no further intelligence of importance [illegible] the beginning of March

London Jan 9—The liabilities [illegible] Cornish bank are 658,000 [illegible] much less than supposed. The [illegible] in Cornwall is allayed and [illegible] drain upon other banks considerably decreased. The market for bar silver is in a complete stand still

Ex-President Grant was the guest of the American minister last night. He expects to leave to-day for Paris

Paris Jan 9—Sixty young men having quitted Upper Alsace to avoid conscription have been each sentenced by default to pay a fine of 12,000 marks or 200 days imprisonment and to seizure of their property to the amount of the fine

FOREIGN GRAIN MARKETS

London, Jan 6—The Mark Lane Express says. The deliveries of home grown wheat at Mark Lane have been comparatively light, but farmers have marketed their produce pretty freely in the country. Although the condition of offerings was very unsatisfactory and sales have been consequently difficult still allowing for the poorness of the quality and the holiday character of trade business was not unduly depressed, and in very few instances has it been necessary to make reductions to effect sales of English wheat when samples have been in a marketable condition. Imports of foreign wheat into London have assumed the customary phase of winter sameness. The arrivals to-day were only 31,000 quarters, made up chiefly of American descriptions. American shippers must necessarily be the principle feature in our imports for some time

Maize and barley and all descriptions of feeding corn moved off slowly. Where any quantity changed hands prices have been a turn against sellers

THE BEST
OF ALL
LINIMENTS
FOR MAN OR BEAST
[illegible]
THE BEST OF ITS KIND.
[illegible] Mexican Mustang Liniment [illegible] valuable horses saved [illegible] awful swellings been subdued [illegible] [illegible] Mexican Mustang Liniment
MEXICAN
MUSTANG
LINIMENT
Rheumatism Swellings Stiff Joints Contracted Muscles Burns and Scalds Cuts Bruises and Sprains Poisonous Bites and Stings Stiffness Lameness Old Sores Ulcers Frostbites Chilblains Sore Nipples Caked Breast and indeed every form of external [illegible]
Sprains Swinny Stiff Joints Founder Harness Sores Hoof Diseases Foot Rot Screw Worm Scab Hollow Horn Scratches Wind galls Spavin Farcy Ringbone Old Sores Poll Evil Film upon the Sight and every other ailment to which the occupants of the Stable and Stock Yard are liable
It heals without a Scar
THE BEST
OF ALL
LINIMENTS
FOR MAN OR BEAST

HARDWARE
Mammoth
HARDWARE
STORE
Wynn & Buckwalter
WHOLESALE
And Retail Dealers in
HARDWARE, STOVES
AND TINWARE
Fence Wire
Carpenter's Tools
Wooden Ware
Clothes Wringers
Miners' Tools
BUCKEYE
MOWING AND REAPNIG
MACHINES
Plows and other Agricultural Implements
Shelf Hardware.
Of every Description
IN STOVES
Good, Strong and Substantial
TINWARE MANUFACTURED
Broadway, Yankton

NOTICE
[illegible]

NOTICE
[illegible]

GRAIN &C
Wilcox and Williams
GRAIN DEALERS
[illegible]
FARMING IMPLEMENT
Bain's Celebrated Wagons
[illegible]
Minnesota Chief Thresher
"NEW MANNY"
Reaper and Mower
PATENT
SPRING STEEL BEAM PLOWS
&c, &c, &c
Second and Mulberry Sts.

Press and Dakotaian

ESTABLISHED 1861—

WEEKLY EDITION

Subscription Price, $2 per year

ADDRESS

BOWEN, & KINGSBURY

YANKTON - - DAKOTA

Thursday, January 16, 1879

THE GOVERNOR'S MESSAGE

The message of his excellency William A Howard governor of Dakota to the legislature of Dakota, appears in this issue. It is Governor Howard's first message and he has been only a short time a resident within the territory of which he is chief executive. He has however learned much regarding Dakota and its needs during the few months which have elapsed since his coming, and he places his ideas of the situation before our legislators in terse and comprehensive terms. The governor's congratulatory remarks are exceedingly well timed. Standing as we do just inside the threshold of that prosperity which many others have waited for through long and discouraging years of adversity, it is fitting that the executive should express the gratitude and confidence of the people through the opening remarks of his message. Governor Howard has witnessed the growth and development of many territories and states, and has given a lifetime of active force to the events which constituted that advancement. Here in this fragment he now wears with his mind well stocked with experiences connected with the growth of the older west our governor can most appropriately congratulate upon the bright prospects of our future and can give to us solid advice which it would be profitable to heed. The good counsels contained within his message are the crystalization of ideas accumulated from the experiences of a busy life, prompted by a heartfelt wish that we may prosper as no people have ever prospered.

The unfortunate class, the deaf, the dumb, the blind the insane, the poor and that still more unfortunate element, the convicts of our territory, receive a large share of the governor's attention and his suggestions in connection therewith are such as should be carried out. The insane he found, when he came to Dakota, almost without a place where they could receive the care and restraints their condition demanded. Among his first official duties came the difficult task of meeting the emergency which presented itself in this connection. In his message he tells the legislature how these difficulties were overcome but refrains from giving the details, which are filled with the good deeds of his noble and unselfish nature. In our opinion Dakota cannot wholly reimburse Governor Howard for his efforts in behalf of its insane. It can pay him back the money he has expended from his private funds, but there is a deeper debt of gratitude which will stand forever to his credit on the unbalanced pages of the great ledger of the commonwealth. His references to the facilities of the territory for the punishment of crime are given without elaboration. They show what it has cost to care for criminals, what it will cost in the future and what it might cost under different arrangements. Facts and figures and tersely put suggestions follow each other so closely as to infuse a complete comprehension of the subject.

The department of finances presents some curious phases which are doubtless fairly taken in by the public ere this. The meagre report furnished by the territorial treasurer was insufficient to enable the governor to give a satisfactory statement of the receipts, disbursements, liabilities and assets of the territory. It is probable that a supplemental report will emanate from the treasurer's office which will render more satisfactory this important subject. All of the governor's suggestions regarding the improvement of territorial paper are to the point and should be accurately followed.

The references of the message to the subjects of education and immigration and the general encouragement of those things which tend to our material improvement will strike the public as being entirely sound in every particular. A truly economical advancement of all these interests, with an advancement commensurate with our progress and prospects, is urged, and these propositions for the common good none can take exceptions.

A PROTEST CALLED FOR

A measure is now before congress looking to the transfer of the present land surveying system from the interior to the war department with the view of giving the scientific gentlemen who have been conducting the government geological surveys in the mountains, a new lease of official life. The change has not been demanded by any defect in the present system which has existed for a century to the satisfaction of the millions of people who now occupy the great states of Ohio, Michigan, Indiana, Illinois, Wisconsin, Mississippi, Alabama and the entire list west of the Mississippi, but seems to have grown out of a desire on the part of the scientific people before mentioned to provide themselves employment, now that the legitimate field of their labor has been largely circumscribed and the unpleasant prospect of being 'out of a job,' stares them in the face. It is a subject which is of vital interest to Dakota and will undoubtedly call forth a prompt and emphatic protest from the representatives of the people now assembled. The Chicago Tribune, of recent date, thus alludes to the matter:

The measure for a radical change in the government surveying system is in the hands of the appropriation committee of congress and some mysterious and powerful influences are evidently at work to rush it through. It is a measure which threatens a disastrous disturbance of titles all over the country, and there is need for a general protest against its passage. No good and sufficient reason has been furnished for abandoning a system which has been in existence for a hundred years and there is a strong suspicion that the proposed change conceals some huge job. There is scarcely room for doubt that the new system would furnish abundant opportunity for blackmail, and there is already enough of that disreputable practice in connection with our land title. It is said that, under the operation of this bill, the title of every acre of land originally surveyed by the government will be affected and the confusion which would produce annoyance and expense beyond estimate. The farmers of the country should flood their representatives with protests against this scheme.

The Chicago Times says:

And now Dakota to use the accepted phrase, is "knocking at the doors of the union." A bill for her admission was introduced in congress yesterday. It is not unlikely that the next census will prove her population sufficient to justify the demand, and there is a certainty that in character it will be the equal of any state in the union. The fertile prairies of the far northwest with their wonderful wheat producing capacity, are drawing to the country along the line of the Northern Pacific some of the best farmers in the west.

The Times might with equal truthfulness note the fact that the entire eastern half of Dakota, from the Missouri river to the British boundary, was filling with the best farmers in the west. Then it might throw in an additional remark about their farms being the most productive in the world. These are some of the reasons why Dakota will soon become a state.

THE THIRTEENTH SESSION

At twelve o'clock m on Monday January 14th the thirteenth legislative assembly of Dakota convened in the city of Yankton and entered upon the biennial forty days session required by law. The legislative roster as made up by the clerks of the two houses show the following members entitled to seats:

For the council—

1st district—Ira Ellis and Silas Rohr, of Union county

2d district—Nelson Miner, of Clay county

3d district—Newton Edmunds and H B Wynn, of Yankton county

4th district—M H Day of Bon Homme county

5th district—Wm M Cuppett of Lincoln county, C B Valentine of Turner county

6th district—R F Pettigrew of Minnehaha county

7th district—S G Roberts of Cass county

8th district—G B Walsh of Traill county

9th district—R McNider of Burleigh county

13th district—W L Kuykendall, of Lawrence county

For the house—

1st district—J M Peterson Sever Johnson Joel Webber and Andrew Hoyt of Union county

2d district—Knud Weeks John Hover, Hans Gunderson and P N Cross of Clay county

3d district—J R Gamble E C Walton Adolph Minksch and Andrew Simonson, of Yankton county

4th district—J H Stephens, of Bon Homme county

5th district—A B Fockler and O C Hoval of Lincoln county D Stewart of Turner county

6th district—J R Jackson and I O Lingness of Minnehaha county

7th district—J Q Burbank, of Richland county

9th district—Ansley Gray of Burleigh county

10th district—Alfred Brown of Hutchinson county

11th district—Martin Trygstad, of Brookings county, O I Hustboe, of Moody county

12th district—Michael Shely of Traill county

13th district—N C Whitfield and D W Flick of Pennington county

These are the gentlemen who compose the legislature to assemble to-morrow and who are to create the record of legislative doings for the session of 1879. In point of intelligence they compare favorably with any previous body of law makers which has met at the capital of Dakota and we cannot but expect from them a course of legislation which will be directed by wisdom and governed by good judgment. There is a vast amount of practical good sense in the composition of this organization, which can never go astray in the work of legislation unless it be unduly influenced by the local prejudices of the constituency behind it. A man elected to make laws for the whole people can best accomplish his mission by keeping in view the fact that it is not for himself or his neighborhood alone that he is placed at the seat of government but for the common good of those who compose the whole. There are measures of local importance which will command the labors of individual members and which should as a rule, be controlled by those who represent the localities to be affected by their enactment or non-enactment. There are other measures, local, perhaps, in their nature, but somewhat general in their effect and in operating upon these their bearing upon the territory at large will need to be considered and the greatest good to the greatest number made the guide to final action. The adoption of a codification of the general laws of Dakota by the last legislature has left a clean field for those who are to begin their duties to-morrow. The statutes are before them in condensed form and their provisions stand without any amendment thereto. Generally they have given satisfaction and it is not expected that it will be materially altered. There is much in the way of sectional legislation to attend to and our railroad laws need to be improved to meet the various projects for railroad improvements now pending. All of this work is given over to the gentlemen delegated to perform the duty and to their intelligence we are willing to commit it.

UP RIVER NOTES

Correspondence St Paul Pioneer-Press

COURT MARTIAL

Bismarck D T, Jan 3—On the 6th inst Capt French, of the seventh cavalry, will be tried by a court martial convening at Fort Lincoln for drunkenness and conduct unbecoming a gentleman. French was one of the heroes of the Little Big Horn fight, and proved himself a true soldier. His bravery is famous throughout the department. Yet this brave man is a slave to liquor. He can fight his country's enemies without flinching but can't meet his appetite without suffering defeat. French is one of the witnesses before the Reno inquiry. Everybody likes French, but fear the worst at the coming trial.

BULLY BROOKS

The coroner's jury in the case of 'Bully' Brooks, returned a verdict of death from a pistol shot fired by Corporal Rowland, of the seventh cavalry. The officers at the fort give Rowland an excellent name, and are surprised at his connection with such an affair. The murderer walked through the dance-hall with a smoking pistol in his hand. The confusion occasioned by the shot in the back room, where the murder took place mixed the eye witnesses. Brook and Rowland were scuffling in this side room when the latter, or some one else who wanted to assist the corporal, sent a ball crushing through the former's brain. Barring the pistol whisky did it.

CAPT WEIR'S STATEMENT.

Granting that Capt Weir made the statement reflecting upon Major Reno at the Little Big Horn fight, there are plenty of witnesses, Lieut Hare, Lieut Edgerly, and others living, who will testify that Weir's voice from the grave is mistaken. There are also witnesses who can testify that Weir made statements in the club room at Fort Lincoln acquitting Reno, or at least contradicting his posthumous evidence. Poor Weir was a brave and scholarly officer, not equalled by the flower of the Seventh cavalry, but he was too often under the influence of liquor to leave an unbroken chain of evidence behind him. His sworn statement has been no secret at Lincoln. It is said that Whitaker, Custer's biographer, doesn't expect much of the Reno inquiry. He looks upon it as a whitewashing affair, and expects a congressional investigation to clear up the mystery. He has been promised one, and will make his fight before a court of the people. He will bring up the intelligent rank and file. Everybody will be summoned and everybody will be investigated.

THIRTY-NINE BELOW ZERO

New Year's evening the thermometer on the hill at Fort Lincoln, registered 39 degrees below zero, one more and the mercury would have congealed.

Next spring there will be another wire between Bismarck and Fargo, and another operator at Bismarck.

The telegraph line to Buford is still down. It don't amount to much as an informer of Sitting Bull's movements.

The vote for district attorney in northern Dakota was as follows: J A Stovell, 1,294, O W Francis, 1,282, H Woodruff, 1,083. That made a total vote of 3,659 for northern Dakota. Why can't we have that territory Alexander Ramsey put through the senate several years ago?

Gen Terry made the remark, the other day, that the Eighteenth infantry from South Carolina would go up to the Milk river country next spring, and build the new post.

The total reward for the burners of the Fort Keogh hay is $4,000. The citizens offer $3,000 of it, and the government the balance.

The quarters of Dr Girard and Major Brotherton, at Fort Keogh, were recently destroyed by fire. Loss about $7,000. Their traps were all burned.

Eighteen Bannock Indians came into Keogh as prisoners. MANDAN

LEGISLATIVE ASSEMBLY

XIIIth SESSION

Organization of the Council and House of Representatives

George H Walsh Elected President of the Council and J R Jackson Speaker of the House.

The Election of Other Necessary Officers Completes the Preliminaries. Governor Howard's Message

THE COUNCIL

The council of the thirteenth session of the legislative assembly of Dakota territory met at twelve o'clock m January 14th 1879 and was called to order by J R Hanson secretary of the council of the twelfth general assembly and upon calling the roll, all the members answered to their names as follows:

First district—Ira Ellis, Silas Rohr

Second district—Nelson Miner

Third district—Newton Edmunds H B Wynn

Fourth district—M H Day

Fifth district—Wm M Cuppett, C B Valentine

Sixth district—R F Pettigrew

Seventh district—S G Roberts

Eighth district—G H Walsh

Ninth district—R MacNider

Thirteenth district—W L Kuykendall

On motion of Mr Edmunds the council proceeded to a temporary organization.

On motion of Mr Walsh Mr Edmunds was chosen temporary chairman and on motion of Mr Roberts Mr Cuppett was chosen temporary secretary.

On taking the chair Mr Edmunds briefly thanked the members for the honor conferred upon him.

Mr Roberts moved that the council proceed to a permanent organization and nominated Geo H Walsh of Grand Forks county, for president, which motion was seconded by Mr Miner.

Mr Kuykendall asked if it would not be necessary to swear in the members before the organization was proceeded with, and the secretary of the territory being present stated that it was the usual custom, and that Judge Shannon was preparing an oath to be administered to the members, whereupon the motion to proceed to a permanent organization was withdrawn.

Chief Justice Shannon appeared, and administered the following oath, which was subscribed to by the members:

You and each of you, as members of the said council, do solemnly swear that you will support the constitution of the United States and the organic act of the territory of Dakota, and that as such member of this council you will not propose or assent to any bill, vote or resolution which shall appear to you injurious to the people, nor do or consent to any act or thing whatever that shall have a tendency to lessen or abridge their rights and privileges as declared by the constitution of the United States, and the organic act of this territory but will in all things conduct yourself as a faithful honest representative and guardian of the people, according to the best of your judgment and abilities. So help you God.

PERMANENT ORGANIZATION

On motion of Mr Miner, the council then proceeded to a permanent organization.

Mr Roberts nominated Geo H Walsh for permanent president of the council, and the roll being called, those who voted for Mr Walsh were Messrs Cuppett, Day, Edmunds, Ellis, Kuykendall, Miner, MacNider, Pettigrew, Roberts, Rohr, Valentine and Wynn.

Mr Walsh voted for Mr Valentine.

On motion of Mr Rohr, Messrs Rohr and Valentine were appointed a committee to conduct the president elect to the chair.

On taking the chair the president stated that he would not occupy time in making a speech, and would simply say that he would use his best endeavors to discharge the duties of the position to which he had been chosen to the satisfaction of the council.

Hon Geo H Walsh, on whom has been conferred the honorable position of president of the council hails from Grand Forks county on the Red River of the North. Mr Walsh has been identified with the interests of northern Dakota for several years, first as a journalist, in which avocation he was a pioneer of that section, and subsequently as a lawyer. His endorsement by the council is an appropriate second to the almost unanimous vote which was accorded him by the people of his county on the occasion of his election to represent them. He is a gentleman of liberal views, an earnest friend of the territory, and abundantly competent to discharge the important duties of presiding officer of the council.

The permanent organization of the council was completed by the election of the following:

Chief clerk—O A Hubbard, of Lincoln county

Enrolling and engrossing clerk—A W Heil of Union county

Sergeant at arms and doorkeeper—Jacob Branch, of Yankton county

Messenger—M C Lyons, of Minnehaha county

Watchman—Thomas B Buchanan, of Turner county

Chaplain—Rev J A Potter, of Yankton county

Mr Rohr offered a resolution directing the secretary to inform the house that the council is permanently organized.

A point was then made that the council could not proceed to business until the required oath was administered to the officers elect.

Mr Ellis said that the members were not permitted to proceed to a permanent organization until they were sworn in, and he thought the officers were no more honest than the members, and should not enter upon the discharge of their duties, until the oath required by law was administered.

The point was sustained by the president, and Mr Rohr withdrew his resolution.

Judge Shannon then appeared and administered the oath to the officers.

The resolution of Mr Rohr was again presented and adopted.

On motion of Mr Miner the rules of the last council were temporarily adopted.

Mr Valentine offered a joint resolution providing for the election of an assistant clerk for each branch of this legislature, who shall each receive the sum of four dollars per day for services, and appropriating from the territorial treasury the sum of three hundred and twelve dollars for the payment of such clerks.

A motion to suspend the rules and pass the resolution was adopted by a vote of 9 to 4.

Mr Roberts moved that the resolution be amended by inserting $5 a day instead of $4.

Mr Pettigrew hoped the amendment would not be pressed to a vote at this time, that there was no immediate necessity for its passage, and that if called upon to vote now he would be compelled to vote against it.

Mr Miner opposed the resolution, thought there was no necessity for an assistant clerk and would oppose the setting up of an assistant clerk merely as a figure head to draw pay from the territorial treasury.

Mr Valentine said he offered the resolution in good faith and in the belief that an assistant clerk was necessary to expedite the business of the council.

A vote being taken upon the amendment of Mr Roberts it was defeated by a vote of 11 to 2.

The original resolution then adopted by a vote of 10 to 3.

On motion the council then took a recess until 2½ o'clock p m.

THE HOUSE

At twelve o'clock, noon, to-day, the house of representatives was called to order by E A Kingsbury, clerk of the last house.

The roll call showed the following members in their seats:

Messrs Brown, Burbank Cross, Flick, Fockler, Gamble, Gray, Gunderson, Helvig Hover, Hostboe Jackson, Johnson Lingness, Minksch Peterson Shely, Simonson, Stevens Stewart, Trygstad Walton, Webber Weeks, Whitfield.

All present except Mr Hoyt of Union county.

The clerk announced that Chief Justice Shannon would be in attendance as soon as he finished his duties in the council chamber to swear in the members of the house.

After a delay of a few minutes the chief justice appeared and the oath was formally administered by him to the members of the house and their names subscribed thereto, in accordance with the provisions of the revised statutes.

Subsequent proceedings were preluded by a prayer from Rev J P Coffman, who invoked the aid of the Almighty and constant watchfulness from the Heavenly throne over the proceedings of this legislative body.

Mr Burbank moved that the house now proceed to permanent organization, which motion was adopted.

Mr Lingness of Minnehaha county, nominated M J Jackson, of Minnehaha county, for the position of speaker of the house.

The vote was put on this nomination and showed twenty four in favor of the election of Mr Jackson and none against. He was accordingly declared elected speaker of the house.

On motion of Mr Gray the following gentlemen were appointed a committee to conduct the speaker to the chair: Messrs Gray Whitfield and Brown.

Speaker Jackson, on taking the chair spoke as follows:

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES—I trust I am not wanting in a due appreciation of the honor you have done me in placing me in the responsible position of presiding officer of your honorable body. I tender my warmest thanks to each and every one of you, for this very marked expression of your confidence and esteem. I enter upon the work you have so generously assigned me, with somewhat of distrust of my ability to discharge the important duties of my position in such a manner as to justify the choice you have made. But gentlemen the unanimity with which you have called me to preside over your deliberations, is of itself a sufficient guarantee that I shall have your generous support—your cordial co operation, and your personal friendship. Conscious of my liability to make mistakes, and to err in matters of judgment I bespeak for myself your patient and charitable forbearance which I shall strive to deserve. Although we now as a legislative body are few in numbers, yet let us remember that we are doing work for the years, and for the people that are yet to come. Let us see to it then that our work is well done! Let us remember that what is now a vast territory, sparsely settled, comparatively little known and slightly developed will, in the very near future, become two magnificent states. Upon the azure field of the broad banner of our glorious country two more bright stars must soon have a place.

Gentlemen—I trust that in the consideration of all questions of a local character, the wishes of our several constituencies will be fairly considered. But in those great questions that involve the interests of all our people, I feel assured that each member of this honorable body, will justly and fairly represent every broad acre of our magnificent territory.

I cannot but feel that a spirit of harmony and conciliation will mark the proceedings of every day and hour of the session upon whose duties we are about to enter, and that all our relations will be of the most cordial and friendly character.

Thanking you again, gentlemen, for this token of your regard, we will now enter upon the business that calls us together.

At the conclusion of his brief remarks the oath of office was administered to the newly elected speaker by Chief Justice Shannon.

Mr Jackson, the speaker of the house, is a resident of Valley Springs in Minnehaha county and has been a permanent inhabitant of Dakota for two years. He is engaged in the lumber business at Valley Springs and, we are happy to state is doing well in a business way. He came to Dakota from New York, where he was a neighbor and intimate acquaintance of Vice President Wheeler. Mr Jackson is a gentleman of fine personal appearance, with a sufficient sprinkling of gray in his beard to indicate that he is on the down hill side of life. He is a good parliamentarian and presides with dignity over the house proceedings. His election to this important position gives unbounded satisfaction and he will without doubt fulfil the most ardent hopes of all his friends.

A message was received from the council announcing its organization.

Mr Gamble nominated E A Kingsbury, of Yankton, as chief clerk of the house.

A vote being taken showed a majority for Mr Kingsbury, who was declared elected chief clerk of the house, and was sworn in by Chief Justice Shannon.

Mr Hoyt, of Clay county, came into the house and was sworn in by Chief Justice Shannon.

Mr Stephens of Bon Homme, nominated W C Grant, of Bon Homme for the position of enrolling and engrossing clerk. The vote was put and Mr Grant declared elected.

Mr Whitfield, of Pennington, nominated Julian Dix, of Lawrence for the position of sergeant at-arms, and he was duly elected.

Mr Fockler, of Lincoln, presented the name of T W. Clark, of Lincoln, for the position of messenger.

Mr Cross, of Clay, presented the name of Erasmus Jensen of Clay, for the position of messenger.

A vote was taken, which resulted in a majority for T W Clark, and he was declared elected messenger of the house.

Mr Stephens, of Bon Homme presented the name of A Culbertson, of Bon Homme, for the position of watchman for the house, and the vote gave him a majority and he was declared elected.

Mr Gamble of Yankton, presented the name of Rev J P Coffman for the position of chaplain of the house, and he was duly elected.

These officers were then sworn in by Chief Justice Shannon and the organization of the house was completed.

Mr Gamble offered a resolution to the effect that the council be notified that the house had completed its organization and was ready for business. The resolution was adopted.

Mr Gray presented a resolution calling for the appointment of a committee of three to act in conjunction with a like committee of the council, to wait upon the governor and inform him that the legislature was now fully organized and was ready to receive any communication he might be pleased to make. The resolution was adopted and Messrs Gray, Stewart and Stephens appointed as such committee.

On motion of Mr Stephens, the house took a recess of one hour.

AFTER RECESS

The house was called to order at three o'clock p m.

Mr Gamble offered a resolution instructing the clerk to inform the council that the house was ready to meet with council to receive any communication the governor might desire to make, and to invite the council to meet the house in the house chamber. The resolution was adopted.

Mr Gamble offered a resolution calling for the appointment of a committee of five to revise the house rules of the last session and make such changes as may be necessary with a similar committee of the council on joint rules. Adopted and Messrs Gamble, Gray, Burbank, Lingness and Levgsrad appointed as such committee.

On motion of Mr Lingness the rules of the last house were adopted for use until new rules are adopted.

On motion of Mr Burbank a committee of three, consisting of Messrs Burbank, Gamble and Whitfield, was appointed on joint rules.

Mr Gamble presented a resolution inviting the federal officials to a seat within the bar of the house. Adopted.

The committee appointed to wait upon the governor reported that his excellency was ready to attend and deliver his message.

JOINT SESSION

At four o'clock p m the two houses of the legislature convened in the house chamber to receive the governor. The gallery was filled with spectators, and every available seat upon the floor of the house was also occupied, a few ladies appearing in the audience. Most of the territorial officials and several ex officials were also present. Governor Howard appeared before the joint session, and read from printed sheets the following

MESSAGE

Gentlemen of the Council and House of Representatives: In view of the greatly improved condition of the territory it is a pleasing duty to welcome you to your legislative labors and responsibilities. During the last two years our population has increased steadily and rapidly, probably threefold. Our taxable property has increased in a single year more than sixty per cent. The exceeding fertility of our soil has been demonstrated. The destructive power of the locust heretofore overrated has become less and less until it has been established that labor can be rewarded and a large measure of prosperity secured in spite of the ravages of the grasshopper incurred in the past or apprehended in the future. A rich gold and silver mining region has been opened within our borders which has already produced a large value of the precious metals, and the development of which will be a source of permanent and increasing wealth. Our educational interests are better cared for. Our laws are better enforced and more generally respected. Our finances are improved and improving. Immigration has increased beyond all former precedent in the territory, with every indication of a still larger ratio of increase for the next year. In short all the materials are flowing in and clustering around us that must soon form a great and prosperous state. Into what sort of a state these elements shall be moulded as to what institutions shall characterize the future of Dakota, must largely depend upon the wisdom and fidelity with which we meet our present greatly increased responsibilities.

The highest of all duties, the gravest of all responsibilities, that can come upon a legislative body is the proper moulding of the institutions which are to give character to the new and growing commonwealth. With us the present is peculiarly a formative period. The quality of our acts at this very session may affect the interests of children yet unborn.

Our abundant and varied resources, developed and to be developed, show that Providence has placed here an exuberance of all those physical conditions necessary to the formation, growth and maintenance of a great and prosperous community. And whether these elements of statehood shall ultimately be formed into *one or more* states their number and volume have greatly increased and are still increasing and the process of crystallization has already begun. Some clear ideas of what should characterize an organized community or a free state would seem to be necessary and appropriate before we lay aside our territorial swaddling clothes.

What, then is a state? What is a free state? What institutions should characterize a free state? What are its legitimate functions? What its duties and powers? A free government is simply the *organized* power of the good, consolidated and wielded to restrain the bad, and to protect the weak from the encroachments of the strong, or, *in other words*, to establish justice and secure the blessings of liberty to all the people. All courts are simply the [illegible] officers executions decrees. The sheriff goes forth with its process, and even when supported by the *posse comitatus*, or the whole military power, he is only the minister of its will. Such a government is right in its conception and organization, and so far must receive the approbation of heaven. Order is heaven's first law." And such a government, existing for, and securing the good of the governed is the creature of God." We can hardly conceive of the existence of such a government, without admitting the truth of the fundamental axioms of the declaration of independence for such a government can only rightfully exist by the consent of the governed, and for the good of the governed.

A *state* is the people in a given territory and their institutions.

A *free state* consists of the people and such institutions as they make for themselves.

A *despotic state* consists of the people and such institutions as are imposed upon them.

A free state lives in the will of its people. Public sentiment—[illegible] its action. We judge of a state by the same rules as of an individual. By their fruits ye shall know them." Their character must be determined by what they do, not [illegible] what public opinion demands [illegible] that public opinion should be enlightened and virtuous. Hence it has come to be an axiom that the only true basis of a republic is the intelligence and morality of its people. Experience goes far towards proving that the more closely the public morality is allied to, and springs from, the personal religion of the individual citizens the better it endures the trial. The basis of public morality is the enlightened consciences of individual citizens.

The first duty of every free state commanded by the highest of all laws, the instinct of self preservation,—is to foster institutions for the promotion of the intelligence and virtue of its people. The liberty of a people cannot be forced beyond its intelligence,' nor can it long survive the decay of public morality. Governments rise and fall and nations decay and pass away, but the great principles that pertain to rightful government remain unchanged and unchangeable. *The Creator* seems to have impressed his own immutability upon the true principles of rightful government, such as justice, and truth, and equality of right.

Another important function of a state is to provide for the unfortunate,—the deaf and dumb the blind and the insane. Humanity requires this at the hands of the state since a kind of treatment is often required, that friends and relatives could not furnish, nor could any system of voluntary charity meet the case so well, and since all are liable to these terrible calamities, it is proper that all should aid, under the control of the state in making suitable provision for unfortunates of this class.

To guard well the public health, to provide for the common defense, to preserve the public peace, to secure to every man the reward of his own toil, to secure freedom to worship according to the dictates of one's own conscience, and to distribute equally the public burdens, are among the proper functions of the state.

THE INSANE

When the legislature completed the labors of the last session only seven persons in the territory were confined as lunatics. The law made it the duty of the governor to contract with the *authorities of one or more of the* three states of Minnesota Iowa and Nebraska, for the care and confinement of our insane in the state asylums of said states. A contract was made with the authorities of Minnesota to confine and care for our insane for $5 00 per week for each patient, with the cost of clothing, &c, to be added. But in June of the past year we received official notice that the asylum of Minnesota was full of patients of their own, and we must send no more there after the 1st of July, *and we* take away all we had there before the 1st of October. Meanwhile the number of territorial patients had increased to above the number of 20, and new cases were calling for admission. As Iowa and Nebraska were the only states where we could legally send them after Minnesota refused, attention was immediately turned to those two states. But the asylums of both were found full of their own. Application was made to several states east, but no place could be found in any public asylum where they could be sent even after the legislature should meet and legalize their removal.

The best terms upon which they could be kept in any asylum built by private enterprise was $400 per annum each, which would amount to at least $15,000 per year, including transportation from the remote parts of the territory to the extreme southern part of Illinois. In view of the extreme difficulties of the case, and the interests of humanity involved, the authorities of the Minnesota asylum so far modified their order as to extend the time for removing our insane from there until the 1st of February 1879 thus giving the legislature time to legalize some proper disposition of this most unfortunate class. While Nebraska had no room for a single male patient in the regular wards, the authorities of that state consented to receive a limited number of patients on condition of our making such improvements in certain unfinished rooms as were necessary to confine them in the night time. As there was no law therefor I paid this out of means of my own. The expense thus incurred is much less than the extra cost of moving them to St Peter instead of stopping at Lincoln on the way from the Black Hills. In this way provision was made for the proper care of the insane until the 1st of February and no longer.

The question as to what could be done with these unfortunate people after the first of February demanded immediate attention. I could find no law for calling an extra session of the legislature. There was no building in the territory at all suitable for the confinement and proper treatment of so large a number—probably thirty—and no law except the law of necessity for expending any money or incurring any debt to provide buildings. They must be provided, or at least in such a state of forwardness that the legislature could complete them in time to receive the patients. To do this, a portion of the work must be done before cold weather. This has been done. The work so far has been paid for from my private funds. It now remains for you to adopt and complete the work, or reject it, as, in your wisdom, you may deem proper. I had no power to incur debt, or create any legal obligation against the territory, nor do I wish to coerce you into the adoption of any particular plan.

But the *honor of this territory*—every consideration of patriotic duty, every tie that binds the good man to his country—every bond of social duty—every claim of humanity, demands that you make immediate and suitable provision for the care of this most unfortunate class. When all these utter their claims with united voice what is it but the very voice of God?

It is believed that by promptly completing the arrangements and securing an efficient organization, and by an economical management, the insane of the territory can be well cared for and a saving made in a single year of more than the entire cost of the building and the necessary furniture and fixtures. Even if this should prove an over estimate, the statistics collected from the various asylums in the country, show that of all the persons received and properly treated during the first year, fifty per cent are cured, while of those received during *the second year, only ten per cent recover.* These statistics show that prompt and proper treatment is demanded on the score of economy no less than by the imperative claims of humanity.

A full statement of the amount expended therefor with carefully prepared estimates of the cost of completing, furnishing and managing, will be the subject of another communication to be submitted at an early day.

PRISON

One of the most important subjects that should, I think, demand your early attention is the mode and the expense of keeping our convicts. It appears by the auditor's report that the cost of keeping our convicts for the two years ending the 30th of November, 1878, was $7,091 67 while the cost of their transportation for the same time was $12,363 33. The number is increasing, and, with our largely increased population it will continue to increase. Unless some other arrangement can be adopted the cost of transportation alone will soon reach ten thousand dollars a year. So long as no steps are taken towards providing a prison of our own this large expenditure must prove an increasing burden upon the tax payers and an entire loss, for at the last a prison or prisons of some kind must and will be built.

The convicts are well cared for, and kept at a cheap rate at Detroit. The prison itself is all that could be desired but the cost of transportation is a burden too great to be long endured. In view of the extent of our *territory and of the remoteness of the different* settlements from each other, and the difficulties and expense of inter communication, it would be perhaps unwise to locate and build an expensive prison at the present time, even if we had the means at our command. For, locate it where we would, a heavy expense for transportation must continue until increased immigration shall blend our settlements, and increased railroad and other facilities shall have cheapened the cost of intercommunication. While I am not prepared to make, at this time, any very definite or distinct recommendations, I venture to suggest that cheap *prisons or work houses might be commenced,* say one located in each judicial district where convicts sentenced to hard labor for short terms, say one or two years, might be confined and their labor utilized, with little if any cost, for transportation.

The large amount thus saved and the value of the convict labor, with only trifling additions, would furnish means of confinement as fast as required, while each would become the nucleus of such prison as would ultimately be required in the Black Hills, in northern Dakota and in southeastern Dakota. The question is worthy of consideration whether short sentences, endured near the place of the commission of the crime, would not be more salutary than punishment inflicted a thousand miles away and among entire strangers.

Should any of these suggestions be deemed of sufficient importance to receive any action within the next two years, some modification of the laws would be necessary at the present session.

Should congress divide our territory these prisons would be none the less useful and necessary. But in no event should any debt be created without making provision for its early liquidation. Half a dozen cells and a stockade would be enough to begin upon in each of the judicial districts, constructed so they could be enlarged as required. Meanwhile convicts for long periods could be sent as now, where they are kept at cheap rates, and the comparative cost of transportation per year would be lessened in proportion to the number of years. At present the average cost of transportation from the different counties to the territorial prison at Detroit is equivalent to their keeping for three and one half years.

Should the plan above suggested be deemed objectionable, and it should be thought better to confine our efforts to the construction of one large and substantial prison in some central locality, and with due regard to cheapness of material, even then prudence would dictate that the work proceed very slowly, carefully avoiding the contraction of any large debt, even if we were obliged to build in small sections and no faster than required for actual use.

Should we show a disposition to begin, it is possible congress might see the justice and the wisdom of giving us substantial aid in the construction of such a prison as would be suitable for prisoners of the United States as well as of the territory. If we do nothing toward providing for our future and increasing necessities, our taxes will have been absorbed and we will have nothing to show for them. I commend this whole subject to your thoughtful consideration.

FINANCES

The amount of warrants issued during the two years ending the 30th of November, 1878 was $48,453 98, of which amount $30,167 32 was for the year ending 30th of November, 1877, and $18 316 66 was for the year ending 30th of November 1878. Of the amount drawn in 1877 $10,015 may be regarded as extraordinary unusual expenses. The most, if not all, of this amount, it is believed, congress should have refunded.

This amount embraces the following items:

For locating roads from the Missouri river to the Black Hills required by treaty and approved by the secretary of war	$3 000
Codifying the laws	2 094
For printing the codes	4 921
	$10 015

If we deduct this amount from the total of warrants issued it will leave $38,468 98 as the amount of ordinary current expenses for the two years, or $19,234 49 as the average *ordinary yearly expenses*, exclusive of interest on the outstanding warrants. This amount may be slightly increased (perhaps $1,000) by some unadjusted claims. It appears by the auditor's report that warrants to the amount of $29,140 87 have been cancelled and are now on file in his office.

Of these there were redeemed of the issue of 1874	$ 167 33
Of the issue of 1875	1,770 44
Of the issue of 1876	9 707 32
Of the issue of 1877	16 262 79
Of the issue of 1878	1 232 99
Warrants redeemed in two years on file with auditor	$29,140 87

Deducting the amount paid on warrants issued in the years 1874 and 1875, $1,937 77, and it would leave $27,203 10 applicable to the cancellation of warrants issued during the two years ending the 30th of November, 1878. This amount deducted from the whole issue of the two years, leaves $21,280 88 as the amount of outstanding warrants, exclusive of interest, on the 30th of November, 1878.

The treasurer reports warrants paid (now in his office) and notified to be paid, to the amount of $6,100 58, also $3 049 89 paid by him for interest, for which he has taken credit, making a total of $9,150 47. Assuming this to be correct and deducting the $6,100 58 it would reduce the amount of outstanding warrants to $15,180 30, exclusive of accrued interest on the same estimated by him at $4,500.

This would make our entire indebtedness, on outstanding warrants [illegible] on the 30th of November 1878 [illegible] instead of $2[illegible] 47 as by the statement of the treasurer.

The error of the treasurer seems to arise by his reporting warrants redeemed and in his office to the amount of $2,463 08, and the further sum of $3,637 50 as noticed for redemption, amounting to $6,100 58 and taking credit for having paid this aggregate amount and using it to account for the *money he has received and then reporting* them as outstanding warrants.

[illegible]

The treasurer reports the total amount of receipts from all sources for the two years ending November 30th 1878, as amounting to $38,80[illegible] and he gives the amount received from each county but he does not give the date of the receipt of any portion of it. The full amount of interest claimed to have been paid is $3,049 89 but no dates are given when any portion of this interest was paid. To test the accuracy of such an interest account it would seem to be essential to know when the interest on each warrant commenced and when it was paid. I recommend that your honorable body take such action as will secure a fuller report from the territorial treasurer and a settlement of his account.

A large portion of our expenses has been *for the care and confinement of our convicts* and lunatics and the expenses of transportation to prisons and insane asylums outside of the territory, and, as our warrants were at a heavy discount, it was found impossible to use the warrants except with the understanding that, when certified, they should draw ten per cent interest until paid. This rate has been regularly paid on all warrants duly certified. The general law makes the rate of interest 7 per cent, except by special *contract, when it can be increased to any* rate not exceeding 12 per cent. But it is equitable and just that the outstanding certified warrants should be paid as agreed upon and that the treasurer be allowed the 10 per cent which he has paid. I recommend that you legalize the payment of 10 per cent interest on all certified warrants now outstanding.

The heavy discount on our warrants has heretofore proved a heavy burden upon our tax payers. Our warrants have ruled from 80 to 90 cents. If they float on the average one year before payment and we sell one for 85 cents, or make the contracts 15 per cent higher than we would for cash, we pay interest on one dollar for every 85 cents, to pay principal and interest in full at the end of the year. In this way we pay what is equivalent to 27 41 per cent interest on all outstanding warrants. With our greatly increased and increasing resources, and in the present state of the money market, all our warrants can be cashed at par, and at a rate of interest not exceeding 10 per cent, with the privilege of paying as fast as our *funds will permit, so that no funds need lie idle*, but may be applied as fast as realized from our taxes. In this way, without increasing our indebtedness, we may be able to save to the tax payers at least $5,000 per annum.

Forced loans are of the most expensive kind. And warrants that float below par are among the worst specimens. I recommend that you authorize and direct the board of equalization to take such action as *will without increasing the debt, bring our* warrants to par and maintain them, provided the means can be had at a rate of interest not exceeding ten per cent.

EDUCATIONAL INTERESTS—SCHOOLS

In view of our increased population and the increased demand for educational facilities, and in view of the certainty that the liberal provisions made by congress for the future support of common schools within our present boundaries will soon begin to be available, no more important subject can command our attention than the thorough organization and efficient working of our *school system. The grant of land made by* congress for school purposes, two sections in each township, or more than five million (5,000,000) acres, if carefully preserved and wisely applied will in no very distant day make Dakota a model community for the general intelligence of its people, whether it shall be organized into one or more states. The limited time given to those who codified our laws at the last session did not permit the thorough revision of the school law which it might otherwise have received. Our school laws are made up to some extent of old statutes. A thorough revision made by skillful educators would perhaps make them practical and harmonious and be better adapted to meet our increasing wants and responsibilities. I fear our present laws on this most important subject *have not commanded* that zeal and exclusive devotion on the part of some of our officers which it was their duty to bestow upon this important subject. Chapter 40 section 3 of the political code makes it the duty of the superintendent of public instruction to keep a record of his official acts and to exert himself constantly and faithfully to promote the interest of education of the territory" * * * * He shall prepare and present to the governor before the 15th day of December in each year a report of his official acts for the preceding year, with a full statement of the condition of the common schools in the territory and the expenditure of the public school money, and shall make such suggestions for the improvement and support of the common schools as he may deem proper." No such report has been furnished for December 1878 nor is there any evidence on file in this office showing the expenditure of the public school money nor that [illegible] any other acts of the superintendent of public instruction except as appears from the auditor's report and the items mentioned therein relate mainly to salary mileage and institutes.

I greatly regret that the failure to furnish the reports required by law renders it impossible to communicate to your honorable body, at this time the detailed information contemplated in the law, but, nevertheless evidence is not wanting that our citizens in various localities of the territory have manifested a lively interest in the maintenance and improvement of our public schools.

RAILROADS

Our present railroad legislation has not, as yet received any fair test *no railroad* has been built under it as the law now stands. It is a great subject and is to have an important bearing upon the interests of *our territory*, but in the absence of the test of practical experience as applied to its particular provisions I am not prepared at this time to enter upon any recommendations in detail by way of modification or enlargement. But I content myself with the suggestion that the legislation on this subject if any should have two objects in view, the protection of the rights of our citizens on the one hand and on the other such fair and just security of capital fairly invested as shall develop the great railroad interests of the territory, so intimately connected with the prosperity of Dakota. Indications are not wanting at the present time that this subject will assume vast importance and require very careful attention at no distant day.

IMMIGRATION

The subject of immigration will deserve your consideration. The increase of settlement and the development of our resources should be continuous and as rapid as the welfare of the new citizens will allow. Growth in population and wealth is the natural law of our territorial life, the necessity of our condition. With a denser population and greater wealth, all public advantages are increased and the welfare of all citizens is improved. With returning prosperity in the nation and the more buoyant feeling of enterprise among the people, an increased attention is drawn toward this territory, *which is now augmented by* the railroad enterprises within and near our borders. The favorable land laws of the United States have here their most complete and perfect application, and there remain large areas upon the borders of our settlements which offer permanent advantages to the immigrant.

It would, perhaps, be impossible to adopt any general system, under a superintendent, without involving heavy expense, and which would be otherwise satisfactory to all sections. Our settlements are separated and hold different relations to the neighboring states and to the markets, while there is now *little* except official inter communication. The several judicial districts represent the three great communities comprising our population, and it seems better to have three authorized agents of immigration, one for each of these districts, instead of a single superintendent. This arrangement would also save much in traveling and other expenses, while each would thus be able to organize efficiently the harmonious interests of his district and secure the co operation of many other agencies. The expenditure of $1,000 would give $333 to each district, of which say $100 could apply as salary and the remainder be expended for printing and other necessary expenses. There is now an increasing demand for accurate and reliable information concerning Dakota and some economical method of supplying it would doubtless result in the general advantage.

THE CARE OF THE POOR

The law requires that the paupers shall be supported at the expense of the several counties and defines their respective [illegible] settlement with a view to fixing the responsibility of each county for the support of its own and it makes the probate court of each county the tribunal for determining the insanity of such persons as are to be transported at the expense of the territory [illegible]. In practical execution of these laws has led to grave abuses. There is a constant temptation on the part of the county officers to send their paupers at the expense of the territory to be supported as lunatics. In several instances those who should have been considered as mere paupers to be supported by their counties have been sent to the asylum at a heavy expense for transportation and care. With the law in its present form the want of skill on the part of some probate judges and a deplorable want of integrity on the part of others has led to great confusion and injustice. In some instances men have been sent long distances and lodged in the insane asylum at a heavy public charge who were just simply paupers—drunken paupers or criminals. In these cases fraudulent amounts have been *certified* by the probate judges for transportation in which the judge himself is alleged to have been interested.

To avoid the danger of such abuses I recommend that the law be so modified that any county sending an alleged insane person to the asylum be required to pay for the transportation thereto and for his return to his own county when he shall have been discharged from the asylum. When any person without estate has been received and treated as an insane patient at the expense of the territory and has been discharged from the asylum all the expense of his return and of his support should then rest upon the county from which he was sent since while a lunatic he can neither gain nor lose a residence.

THE PARDONING POWER

The power to pardon offenses against the territorial laws is conferred by the organic act upon the governor. In its terms the power is absolute, perhaps necessarily so. Upon him rests the responsibility of its judicious exercise. I have introduced the subject here, not for the purpose of asking legislation for you scarcely have the power to make any laws of binding force on the subject, but we have reached that point in the development and execution of our criminal laws when its proper exercise assumes great importance to our people, without regard to the question as to where the power is placed. And as this is the first opportunity that I have had to express my views of the proper limitation and the extent of its exercise, I avail myself of this occasion to state briefly the principles which I believe should control the action of the executive branch of the government on this important subject.

In early times, and among many nations at the present day, the doctrine of the divine right of kings, has been and is maintained, and is a necessary result all crimes are against the king.

The power to pardon was a personal prerogative of the king, not only absolute in form, but its exercise depended only upon his pleasure or caprice. The crime was against him and he was the party in whose name all writs and prosecutions ran. To pardon was an act of personal grace and forgiveness, as much as to give of his own property to relieve the necessities of the poor.

But our system of government rests upon a different theory. With us the people are the *source of power, and every crime, great* or small, is a crime against the people. And while the pardoning power may remain absolute in form so far as it relates to the legal subjects of its exercise, in reality the whole thing is changed. The executive is simply the agent of the supreme power and he cannot rightfully exercise clemency in any given case except upon the ground of good and sufficient public reasons. Its exercise should be limited mainly to the discovery of new evidence which would have changed or modified the result, could all the facts have been known before judgment.

In my view the executive has no right to use this *high prerogative* in a way that can weaken the power of the law to restrain crime. Neither sympathy nor prejudice should be permitted to break the force of a just judgment, except upon the strongest claims of humanity, or in some case where the practical working of the law could not have been foreseen. The unerring certainty with which punishment, although not excessive, must and will follow conviction, is what restrains crime. It is believed fidelity to the public in the exercise of this high prerogative will diminish crime, and thus prove on a grand scale to be humane and merciful.

REWARDS FOR ARREST

The law authorizes the governor to offer a reward for the arrest of criminals in two cases only, and these the least likely to occur, and a wider scope for that power might prove advantageous toward the more certain punishment of crime.

APPORTIONMENT

Congress at its last session passed a law reducing the number of the territorial council to twelve and the number of representatives to twenty-four. This action of congress imposes upon you the duty of making a new apportionment of council and representative districts at the present session. A just apportionment even under the most favorable circumstances, is a difficult thing to make. But in view of the fact that our population has more than doubled since any census has been taken, that the settlements are in remote parts of the territory, each having interests and prejudices of its own, I trust you will all feel the importance of approaching this subject with such a spirit of candor and fairness as will secure just and satisfactory results.

LIBRARY

Congress has made provision for a law library for the territory, and as the territory owns no building where it can be kept and cared for an appropriation should be made by which the librarian can pay the rent and such other incidental expenses as may be necessary for its use and proper care, including insurance.

Many valuable volumes, such as law reports and the reports of state officers, have been donated to, and have greatly increased the value of the library, while heretofore there has been no provision of law for reciprocating these favors, and if we continue to neglect this, these valuable acquisitions will soon cease. And as the first volume of the reports of the supreme court decisions of the territory is soon to be published by private enterprise, I recommend that the librarian be authorized and directed to purchase a sufficient number of copies not exceeding sixty in all to furnish the libraries of the several states and territories with one copy each, and to supply the library with such additional copies as may be necessary for its use.

TERRITORIAL EXPENSES

There is a necessity that the expenses of the territory should be kept at the lowest point consistent with our condition and the strict requirements of public interests. Economy is most valuable in every stage of a commonwealth's growth, and this habit should especially be cultivated in the period of our formation and development, that it may become the characteristic of our institutions and the public faith be kept as an honorable heritage of our citizens. I have confidence that a constant regard will be given to this necessity in all your acts. With the increased resources of our territory it is earnestly hoped we may not be compelled to increase the rate of the territorial tax beyond three mills upon the dollar of valuation, and it is believed such tax will produce revenue sufficient for all territorial expenses, including adequate provisions for the outstanding unpaid warrants.

REPORTS

The reports of the territorial auditor and the territorial treasurer for the fiscal years ending November 30th, 1877, and November 30th 1878, and the report of the custodian of the territorial library, being all the reports required by law to be made to the governor, which have been received, are herewith transmitted to your honorable body.

CONCLUSION

I have purposely avoided any allusion to national affairs, that during the limited session allowed by law for your deliberations, we may devote ourselves more exclusively to that class of duties that legitimately pertain to us. You are assured that all your efforts, intended to advance the interests of the territory, will command my earnest attention and receive my co operation.

After the applause which followed the delivery of the governor's message had subsided, the joint session was adjourned and immediately following this the house adjourned to ten o'clock to morrow morning.

One of Brigham Young's daughters is in Washington defending the institution of polygamy before the woman's convention.

NEWS BY TELEGRAPH

From the Daily Press and Dakotaian

CONGRESSIONAL

[illegible]

Washington Jan 14—It was agreed to consider [illegible]

Mr [illegible] submitted a [illegible] Agreed to.

Mr Davis of West Virginia called up the resolution submitted by him [illegible] to promote the agricultural interests of the country [illegible] upon the subject.

HOUSE

Washington Jan 14—[illegible] the death of Representative Schleicher was announced [illegible] Shelley, McKenzie, [illegible] and Townsend appointed a committee to accompany the remains to San Antonio. The house then adjourned as a mark of respect.

Washington Jan 14—[illegible] 45th congress [illegible]

Long before the [illegible] the galleries were filled by people and [illegible] the senators and supreme court judges entered the hall. Soon afterwards the body of Mr Schleicher was borne in and the funeral service was read by the chaplains of the house and senate.

By a vote of yeas 172, nays 30, the Geneva award bill was [illegible] and the house went into committee on the bill for payment of pensions to the survivors of the Mexican and other wars.

CAPITAL NOTES

Washington, Jan 13—The case of Benjamin Scull and others against the United States, in which a claim was set up under the Spanish grant to eleven thousand square miles, embracing twenty odd counties in Missouri and Arkansas was to-day decided by the United States supreme court adversely to the claimants. It is held that no adequate survey of the alleged grant has ever been made, and that no survey can be made which will correspond with the courses owing to the erroneous ideas which were entertained at the time it was made, as to the source and direction of the White river in reference to which it was intended to be located.

Washington Jan 13—The committee of ways and means to-day after further discussion on the sugar question, agreed by a vote of six to four to submit to the house a bill fixing the rates as follows: On sugars, syrups &c above No [illegible] duties standard, two cents and forty one hundredths per 100 pounds, on all sugars, syrups, &c, above No 13 and not above No 16 duties standard, two cents and seventy five one hundredths per 100 pound, and on sugars above No 16 duty standard, 4 cents per 100 pounds.

Washington, Jan 13—Representatives Crittenden Clark, Thatcher, Morgan and Polland, of the Missouri delegation had a long interview with the president to-day and urged the appointment of ex Sena Henderson to the mission at Berlin. Senators Armstrong and Cockrell and Representative Metcalf also called upon the president and secretary of state in the interest of Henderson.

Washington, Jan 14—The president nominated W H S Clayton U S attorney for the western district of Arkansas and as postmasters, Samuel M Clark, Keokuk, Iowa, and A S Hamilton, Ottumwa, Iowa.

HOME NEWS

Special to the Press and Dakotaian

Cheyenne Agency, via Sully Jan 11—Two runners from Sitting Bulls camp have just arrived, and make the following report: Their camp is now on Little river near the United States boundary. Twenty five days ago they held the largest council ever held by the hostiles and decided to send out twelve runners five to Standing Rock two to Cheyenne three to Spotted Tail and two to Red Cloud—as representatives of the hostile bands which belong to these agencies. They say, "we are willing to come in to surrender our horses and arms and submit to agency rules, if we are guaranteed protection by the government. The traders in British America have used every measure to keep us there. If it had not been for them we would have come in with Gen Terry." A council will be held here to morrow by the agent.

Camp Robinson, Neb, 9 30 p m Jan 11—The troops are still in pursuit of the escaped Indians. Thirty-seven, nearly all squaws and children, have surrendered or been captured. Thirty four are still out including about 15 warriors, among whom is Chief Dull Knife, erroneously reported dead last night. Wild Hog, Old Crow and Left Hand, head men are among the recaptured. The dead bodies of the Indians were brought to the post for burial. They numbered 23 warriors, 8 squaws and 2 children. Five soldiers were wounded, and two of them, privates Smith and Everett, have died. The others are not dangerously injured. Private Ferguson, who was stabbed by Wild Hog, will recover.

Jacksonville, Florida Jan 13th—A severe shock of earthquake was felt last night about 11 45. It lasted about three seconds, and had a south east to northwest motion. Buildings were violently shaken, crockery rattled and doors thrown open. The shock was felt at St Augustine and along the gulf coast from Punta Rassa to St Marks, as well as over the interior portion of the state. Nothing of the kind was ever experienced here before.

Chicago Jan 13—The military court of inquiry into the responsibility of Major Reno, for the Custer massacre, convened here to day with open doors, but reporters were not allowed to take notes of the proceedings. The only important action of the first session was a decision to summon Whitaker, who made the charges against Reno.

Mauch Chunk Pa Jan 14, 10 40 a m—The drop has just fallen and it is thought the necks of Sharpe and McDonnell have been broken. A telegraphic reprieve has just arrived but thirty seconds too late.

The execution of Sharpe and McDonnell convicted of the murder of George K Smith a *coal operator* at Audenreid, on the night of Nov 5th, 1863 was expected to be a quiet affair but has proved most exciting. A reprieve from Gov Hartranft arrived one half minute after the drop *fell*—just thirty seconds too late to save the lives of the men adjudged guilty of the murder. The doomed men slept peacefully last night. The men showed no signs of fear, and died protesting their innocence.

The sheriff was about to put on the white caps when Sharp said he wished to leave his thanks with the sheriff and officers of the jail. McDonnell said the same. The men then kissed their crucifixes passionately and the priests whispered in their ears. As the white caps were drawn over their heads every one but the victims left the scaffold. The sheriff took hold of the rope attached to the spring and awaited the signal from Father Bunce. In a moment a white handkerchief fell from the latters hand, and the sheriff pulled the drop. The fall was over three feet, and the men came down heavily. McDonnell seemed to die instantly, but Sharpe struggled violently. The *reprieve* was received in Mauch Chunk by telegraph at 10 30 and the manager of the office rushed to the jail with it. He rang the bell violently about half a minute before the drop fell, and started for the door of the keeper. Mrs McDonnell and her children were at the door weeping loudly, but the doorkeeper did not seem to understand that the dispatch was a reprieve. It was from Governor Hartranft, and granted a reprieve until Monday. There was great excitement in town when the news of the reprieve was made known. The friends of the prisoners took charge of the bodies, which were put into coffins in the jail. The sheriff said he had no idea a reprieve would be granted by the governor nor did any of the authorities anticipate such a contingency.

Cincinnati, Jan 14—*The heavy gorge* which has been expected from Maysville arrived this afternoon and is now passing by the city. No material damage yet suffered from it. The losses by the passage of ice last night will aggregate about $25,000, almost entirely confined to barges.

Press and Dakotaian

Thursday, January 16, 1879

CITY AND VICINITY

The telegraph line was completed to Benlot, Iowa to-day

District Attorney F... has located his official headquarters in Phil Faulk's office

J A Bunker will erect a brick block in the spring on his lot on the corner of Douglas and Third streets

A couple of Keokuk capitalists, representing $250 000 of capital, contemplate investing in a business way in Yankton

The county commissioners completed their January session Saturday night, and will not meet again until the 17th of February

Dewey & Powers contemplate building a livery barn on Douglas street in the spring and changing their present brick barn into two stores

Two Broadway men are trying to get hold of lots on the south east corner of Broadway and Third, with the view of erecting a brick block thereon

C A Shaw, our local artist, has painted a picture of the house of Jacob Brauch and the woods adjoining, which has been hung in the postoffice for public inspection

Dr Dietrich's name has been added to the list of physicians who are to care for the poor of Yankton county during the coming year on request of Drs Miller and Etter

The furniture for the new Odd Fellows' lodge has arrived and the carpet is expected in a week or two A public dedication of the lodge room will be held on or about the 27th inst

P... this ... our ... afternoon the following dispatch ... is very anxious to know what ... this morning and I we'll ... P ... bachelor

The county surveyor has been instructed to meander the north bank of the Missouri to ascertain how much land has been washed away, so that the county assessor may know how much of that region has ... for taxation purposes

Mr A Webster ... resident ... this city, was on Monday arraigned ... charged with stealing ... throwing ... out of doors ... and Nancy M Webster. All of this is said to have occurred ... evening at ... who makes the com... ... watch chain which was torn from ... and ... Webster ... off in ... the ... scene to have been ... absence of Mrs Webster during the evening she having attended church with ... When she returned ... she went into the house she was assaulted ... and in the manner described in the complaint Mr Webster waived examination and gave bail for his appearance before the district court

... the Dakota Southern ... for an excursion ... from Yankton ... Sioux City, and intermediate ... Dakota over the ... the ... new extension ... The excursion will occur ... week ... Thursday ... train will ... Yankton at six o'clock in the morning and arrive at half past six the same evening This will give the excursionists ... two hours at ... where they ... by the people The occasion is designed as a public celebration of the completion of the Pembina branch to this point on the Sioux valley line A large number of invitations have been issued to residents of Yankton and a general acceptance will be gratifying to the officers of the road They have opened up a rich portion of Dakota and want to exhibit it

THE FOUNDATION OF A GREAT CITY

The city of Yankton has made a showing for the year just passed, in its transaction of all kinds, which would do credit to a city of more greater pretentions and riper years ... have shown that public confidence in its future greatness which is best ... by their deeds on every hand and in every quarter of the city business ... proportions and costly fine ... Its newly erected residences some of which assume the proportions of mansions are a thing to be proud of, all of the 1878 improvements in ... to an extent that shows that ... upon which they rest is the ... city From its excellent and enterprising dailies, the Press and Dakotaian ... the principal business ... the city for the ... just ...

INTERESTING AND VALUABLE

Moody ... Enterprise

The Daily Press and Dakotaian of Yankton ... holiday ... and is devoted to an historical sketch ... which of necessity includes ... history of the territory ... record ... improvements made in ... during the past year and also a ... more important events which have ... during the same period The whole ... is interesting and ... and is well worthy of ... reference

HAYES TITLE

However varied may be the opinions concerning the validity of Hayes' title to the presidency there is no question in the minds of either democrats or republicans upon one important point, viz The unquestionable right of Dr Pierce's Family Medicines to the title of the Standard Remedies of the age Listen to the voice of the people

New Orleans, June 10th, 1878

Dr R V Pierce, Buffalo, N Y

Dear Sir—Your Pleasant Purgative Pellets seem to be particularly adapted to the wants of the people in this warm climate, where bilious affections are particularly prevalent I regard them as the best cathartic I have ever tried Yours truly,

John C Henderson

Boston, Mass, May 14th, 1878

Dr R V Pierce, Buffalo, N Y

Dear Sir—Your Golden Medical Discovery has cured my boy of a Fever Sore of two years' standing Please accept our gratitude Yours truly,

Henry Whiting

SUFFERING FOR A LIFE TIME

Persons afflicted with rheumatism often suffer for a lifetime the tortures being almost without remission The joints and muscles of such ... are in most cases shockingly contorted and drawn out of shape To afford them even temporary relief the ordinary remedies ... prove utterly useless Hostetter's Stomach Bitters, on the other hand is avouched by persons who have used it to be a genuine source of relief. It keeps the blood cool by promoting ... and ... of body and removes from it impurities which in the opinion of all rational physicians, originate this agonizing complaint ... the gout Besides this the Bitters remedy disorders of the stomach liver and nerves, prevent and eradicate intermittent and remittent fevers, promote appetite and sleep and are highly recommended by physicians as a desirable medicinal stimulant and tonic

$10 REWARD

Ten dollars reward will be paid for the apprehension and conviction of the party or parties which have (during last summer) been cutting and carrying away timber from my land on the Jim river And I will pay a reward of ten dollars for the apprehension and conviction of any party that hereafter will unlawfully cut and carry away any timber from said premises

John Levorson

Yankton, D T, Jan 7th, 1879

PERSONAL.

Saturday's Daily

Rev J P Coleman returned last night from Turner county

J W Reynolds, of Fort Randall is registered at the Jencks

Governor Howard was out this afternoon taking an airing in his carriage

Mrs Wm Bristoll is compelled by sickness to give up her school duties for a few days

F W Clark, of Canton, came over last night with the Lincoln county legislative delegation

Hon Alfred Brown, member of the house from the tenth district, arrived this afternoon from Scotland

Gen Beadle has information from Indiana, that his daughter May has been seriously sick, but is now better

Hon Wm M Cuppett, of Canton, member of the council from the fifth district arrived last night and has settled down for the forty days' seige to begin next Tuesday

I H Gray, clerk of the government steamer Gen Sherman, who has been spending several weeks in Yankton will leave on Monday for Bismarck, where his boat is wintering

Hon O C Helvig of Canton reached Yankton last night prepared to remain during the session Mr Helvig is a member of the house of representatives from the fifth district

Gen Hammond is now in Washington, en-lightening the Indian department, etc He wants to be commissioner of Indian affairs but the ... view of the proposition is that it would be like jumping out of the frying pan into the fire

Monday's Daily

Mayor Wynn returned Saturday night from Bon Homme

I W Chandler, of the Vermillion Standard, was in town yesterday

H A Copeland, of Vermillion, came up on this afternoon's freight train

George H Stoddart of Lake Kampeska, and ... of Codington county is in town

B H Wood of Deadwood, and L E Wood, of Springfield, were among yesterday's arrivals

C F Mallahan, of the Elk Point Courier, is in town watching over the legislative organization

Hon J H Stephens, of Springfield, member of the house from the fourth district, arrived yesterday

Hon Silas Rohr, of Elk Point, member of the council from the first district, came in on Saturday night's train

Hon J O Langness, of Minnehaha county, representative from the sixth district arrived Saturday night

Hon R MacNider, of Bismarck, member of the council from the ninth district, came in on yesterday's special train

Hon M H Day, of Springfield, member of the council from the fourth district, drove in from Springfield yesterday

Hon J F Webber, of Richland, Union county, member of the house from the first district, arrived Saturday night

Hon A B Fockler of Maple Grove Lincoln county member of the house from the fifth district arrived to day

F H Treat and J H Shurtleff of Fargo, are visiting the capital to-day Mr Treat is proprietor of New Era ...

Judge Valentine's family arrived from Turner county Saturday night and will remain here during the legislative session

Hon M N Tingestic, of Medary, Brookings county, house representative from the eleventh district, arrived Saturday night

Capt D Maratta, manager of the Coulson line business at Bismarck, was a passenger in on yesterday's special train from Sioux City

Hon P N Cross, of Lodi, Clay county, member of the house from the second district, reached Yankton on Saturday night's train

Hon O I Hulebee, of Flandreau, Moody county, house representative from the eleventh district, reached Yankton Saturday night

Hon S R Jackson, of Valley Springs Minnehaha county, member of the house from the sixth district, arrived Saturday night

Hon Nelson Miner, of Vermillion, member of the council from the second district, arrived Saturday night He was a member of the last legislative council

Hon Hans Gunderson, of Clay county member of the house from the second district came in on Saturday night's train Mr Gunderson was a member of the last legislature

Hon J Q Burbank, of Wahington, Richland county representative in the house from the seventh district arrived Saturday night Mr Burbank was a member of the last legislature

George Brown returned Saturday night from Lincoln, Nebraska, having given in his evidence against the Creighton postoffice robber, who will probably receive a term in the Nebraska penitentiary

Hon S G Roberts, of Fargo, member of the council from the seventh district, reached Yankton Saturday night Mr Roberts was formerly immigration commissioner for the northern portion of Dakota

Major Preston Wolfe came in from St Paul on yesterday's special train and left this morning for home Mrs Wolfe has been sick and his natural anxiety ... such cases induced him to make this flying trip

Tuesday's Daily

Axel Kyes left for the east this morning

A Cernick, trader at Santee agency, came down from the agency last night and went east this morning

Hon R F Pettigrew, of Sioux Falls, member of the council from the sixth district, arrived last night

Maj Isaiah Lightner, agent of the Santees arrived from the agency last night and went to Sioux City this morning He will return to night

NEIGHBORHOOD NEWS

Vermillion is enjoying a big Nebraska trade

Moody county's commissioners are crowded with business

Joseph Zive, of Marion Iowa, is preparing to start a newspaper at Madison Lake county

The Nonpareil says there is no better location in the northwest than St Helena, for a good physician

An educational association has been organized at Flandreau, but it does not flourish this cold weather

Moody county needs a jail and is seriously considering the propriety of building one Bringing prisoners to Yankton and boarding them here is expensive

Sioux City Journal —There must be those in Dakota City who are deficient in fondness for L A Hart, of the Eagle A business letter from there yesterday has the following addendum "Another attempt was made to mob L A Hart, the junior editor of the Eagle, last night (Wednesday) by four or five men who were under the influence of liquor He was roughly handled by them, but came out without any serious damage"

The Centaur Liniments are of two kinds The **White** is for the human family, the **Yellow** is for horses, sheep and other animals Testimonials of the effects produced by these remarkable Preparations are wrapped around every bottle, and may be procured of any druggist, or by mail from the Office of The Centaur Company, 46 Dey Street, New York City

BON HOMME COUNTY FINANCE'S

The Books of the Late Treasurer Investigated and Every-thing Found Straight

By a recent resolution of the board of commissioners of Bon Homme county a special commission, consisting of Mayor H B Wynn, of this city and Mr Wendt, of Bon Homme county, assisted by, C F McCoy, clerk of the county, was appointed to investigate the books and accounts of Frederick Wells, ex-treasurer of the county

The condition of his books did not enable him to render a satisfactory report of money entrusted to his keeping during his term of office and the commissioners were unable to determine whether this state of affairs was caused by erroneous footings or by errors of more importance to all concerned Hence the commission was appointed to go over the figures and strike a balance The result of its labors completely exonerates Mr Wells from any suspicions which may have fallen upon him and places the financial transactions of his office in the clearest light before the people of the county The following reports are given as the result of the investigation

FOUND CORRECT

Bon Homme County, D T, January 10, 1878

To the Honorable Board of County Commissioners, Bon Homme County, D T

Gentlemen —We, the undersigned, having been appointed a committee to examine the accounts of Frederick Wells, county treasurer, most respectfully submit the above and foregoing report, [the treasurer's report complete and not given —Eds] We have examined the books in the county treasurer's and county clerk's offices for the years 1876, 1877 and 1878, and find them correct The books in the county clerk's office are kept systematically and in good condition We find that Mr Wells has actually accounted for and turned over to his successor in office the full amount of all money by him collected and now remaining in his hands, excepting the amount of $1810, which amount is accounted for by the failure of the bank of M M Parmer, on which amount there is due in installments $442 74, being the balance due on composition in bankruptcy

H B Wynn,
—Wendt

FINANCIAL CONDITION

The following is a statement of the liabilities and assets of the county, as ascertained by the commission

LIABILITIES

To amount of warrants uncalled for outstanding	$ 201 20
	3... 00
bonds of 1875	5 500 00
1875	17 700 00
Total	$31 .26 20

ASSETS

By county funds on tax list	$ 6 606 67
penalty and interest	3 01. 91
jail	1 000 00
court house	3 000 00
books and stationery	1 00 00
furniture and office fixtures	1 00 00
real estate	150 00
claims against Hutchinson county	170 00
Armstrong	5 00
Charles Mix	(2) 00
amount outstanding in ex	17 0.8 6.
Total	$33 7.6 20

TRUE AND CORRECT

Bon Homme, Jan 10, 1879

To the Honorable Board of County Commissioners—Gentlemen—We, the undersigned, having fully and carefully examined the books and records of Bon Homme county, very respectfully submit the foregoing report to be true and correct to the best of our knowledge and belief We have also examined the records of the county up to January 1, 1875, and find the indebtedness of the county up to that time to be $20,151, for which amount bonds have been issued in lieu thereof All of which is respectfully submitted

H B Wynn,
— Wendt

RED RIVER VALLEY

The St Vincent Extension—The Country Towards the Boundary Line

The Eau Claire Free Press contains a letter from Mr J P Nelson who is located at Warren, on the Snake river giving an interesting account of the progress of the rail road, with many compliments to its management, and a description of the country, from which we extract the following

The emigration north along this valley is simply immense, and there is still room for more A little over one year ago I pitched my tent at the railroad crossing on the banks of the Snake river, thirty one miles north of Crookston Then the lands south of this point were nearly all vacant for a distance of twenty miles and north to the Canadian line was a boundless unbroken, treeless prairie, north of Crookston to mark the track of civilization except the road bed, graded some seven years ago, and grown over with rank grass and weeds, and almost excluded from sight Not a trail or road could be seen in any direction, but a boundless sea of prairie grass extended as far as the eye could reach, except where skirting the streams is a heavy belt of hard wood timber, which is a lovely sight seen from a distance

During the last summer the railroad lands have been largely taken up near the track along its entire length from Breckenridge to St Vincent, and thousands of acres have been broken up and prepared for wheat next spring while houses and claim shanties are scattered over the prairie in all directions, with thousands more in prospect

We are located at Warren, the crossing of the Snake river, a small stream belted with a beautiful grove of hard wood timber, surrounded in all directions with beautiful prairie This is as handsome a town site as can be found, with the brightest prospects for the future For numerous reasons Warren is regarded as the most important point on the entire line of road It contains the first running water and timber north of the Red Lake river, and is located fourteen miles east of Turtle river Dakota territory, and near the middle of the rail road between Breckenridge and Winnipeg fifty six miles south of the Canada line I will be the end of the first division The railroad company have built at this place a commodious depot, section house, water tank and turn-table, and have staked out the ground for round house, machine shop, etc There is also built here one wheat elevator, one warehouse, hotel, a real estate office and several dwelling houses, all built within the last few weeks A large store and many other buildings are under contract, to be built early next spring We also have a postoffice, daily mail, express office, telegraph office and two daily trains both ways The country for miles around is well drained —rich prairie land During last summer large tracts of land have been broken up in this immediate locality One party has broken six hundred acres, another five hundred, and many others from one hundred to four hundred acres each Good, pure water can be got all through this country by digging from eight to fifteen feet, the water is strongly impregnated with lime leached from the marl sub-soil, but is pleasant to the taste, clear, pure, wholesome and healthy There is abundance of timber on Snake river, Marsh river, Middle and Tamarack rivers, available to this place, and sufficient to last for years to supply all practical wants The railroad company owns a large amount of the best of wheat lands along the line of this road, which they sell at low prices and on easy terms Their policy is to encourage the settlement, cultivation and improvement of the country, and thereby make their road remunerative The climate here is about the same as at St Paul or Eau Claire The past season the wheat raised in the Red river valley, north of the North Pacific railroad, is all, or nearly all, No 1, weighing from fifty nine to sixty-three pounds per bushel

LIVER IS KING

The Liver is the imperial organ of the whole human system, as it controls the life, health and happiness of man When it is disturbed in its proper action, all kinds of ailments are the natural result The digestion of food, the movements of the heart and blood, the action of the brain and nervous system, are all immediately connected with the working of the Liver It has been successfully proved that Green's August Flower is unequalled in curing all persons afflicted with Dyspepsia or Liver Complaint, and all the numerous symptoms that result from an unhealthy condition of the Liver and Stomach Sample bottles to try, 10 cents Positively sold in all towns on the Western Continent Three doses will prove that it is just what you want Sold by Mills & Purdy.

COUNTY COMMISSIONERS

Proceedings of the Regular January Session of the Board

Office Board of County Commissioners, Yankton D T, Jan 6th, 1879

Board met pursuant to statute

Present commissioners W B Valentine, Ole Sampson and Daniel Wilcox (commissioner elect) who appeared and subscribed to the proper oath and took his place as a member of the board, also E Miner, clerk

On motion of Mr Wilcox, W B Valentine was elected chairman of the board for the year 1879

The following resolution was on motion adopted by the board

Resolved That the bonds of county officers be fixed at the following amounts

County treasurer	$30 000 00
sheriff	4 000 00
register of deeds	1 000 00
assessor	1 000 00
judge of probate	500 00
supt of schools	500 00
justices of the peace	500 00
constables	500 00

On motion it was ordered by the board that all the proceedings on the petition of John Saukup, Maria Henkel and others for the location of a certain highway filed October 22, 1878, be dismissed for the reason that the said commissioners upon being now fully advised in the premises determine that no sufficient notice was given of the application for such location of said highway and for other fatal irregularities which render the whole proceedings on said petition void, such objections having been made by French and Davis attorneys for parties remonstrating on the location of said road

A petition was then presented to the board signed by C J Rardin, Frank Vaith, Joseph Cobalka and 122 others asking that a public highway be laid out and established as follows Beginning at a point 5 chains north of the corner to sections 18 and 19, township 95 range 57, thence running southeasterly to corner to sections 4, 5, 32 and 33, township 94 and 95, range 57, thence south to a point 10 chains north of corner to sections 16 and 17, 8 and 9 township 94, range 57, thence southeasterly to the corner to sections 14, 15, 22 and 23, thence east 20 chains, thence southeasterly to a point 10 chains south of quarter section corner between sections 23 and 24, thence southeasterly to a point three chains west of the quarter section corner on south boundary of section 24, thence southeasterly to a point 14 35 chains west of quarter section corner on south boundary of section 32, township 94, range 56, and the courses, location and distances are more particularly set out and described in plats attached to said petition and made a part thereof And the county commissioners being satisfied upon due proof that more than twelve of said petitioners are residents, citizens and freeholders of Yankton county, and more than six of whom reside in the immediate neighborhood of said proposed highway and the commissioners being satisfied by due proof that due notice of such application has been given by publication for three weeks successively in the Press & Dakotaian a paper published in said county and by posting up notices in three of the most public places in the neighborhood of such highway at least twenty days before this day the meeting of said board and the filing of said petition and being fully advised in the premises and upon consideration thereof the board proceeded to appoint Edwin H Van Antwerp, G A Fortcus and George B Hoffman as viewers to view such highway and they are directed to meet at the auditor's office on the 20th day of January 1879, and after having taken the required oath they shall proceed to view the proposed highway and make their report to the board at its next meeting thereafter

At the same time a petition was presented signed by 105 persons claiming to be citizens of Bon Homme county praying that the road asked for in the above petition be established

Another petition was also presented to the board signed by Frank Fayfor, jr, Voclad Pechan, Mathias Cronch and 95 others, asking for the establishment of a public highway as follows Commencing at a point five (5) chains north of the southwest corner of section 18, in township 95, range 57, thence running in a south-easterly direction to the south line of said section, thence east along said section line to the line dividing the southwest quarter and southeast quarter of said section, thence southeasterly to a point in the west line of section 20 in said township and range eighty rods south of the northwest corner of said section, thence south along said section line to the southeast corner of said section 20, thence along the south line of said section to the southeast corner thereof, thence south along the west line of sections 28 and 33 to the south line of said township, thence south along the west line of sections 4 and 9 in town 95, range 57 to a point 60 rods north of the southeast corner of said section 9, thence southeasterly to the quarter section corner on the south line of section 15, thence southeasterly to the southeast corner of the southwest quarter of northwest quarter of section 23 in said town, thence east to the east line of said section, thence south along said section line to and across a bridge, thence southeasterly to the point at which the proposed highway surveyed by Peter Royem, county surveyor, in November 1878, crosses the quarter section line between the northeast quarter and northwest quarter of section 25, town 94, range 57, thence southeasterly following the route above referred to as surveyed by Peter Royem (the field notes and plat of which survey are on file in the Yankton county surveyor's office) to its intersection with the Bon Homme county road

Said petition was accompanied by a copy of the notice that such petition would be presented together with the affidavits of Frank Fayfor and Andreas Cervouka stating that the notices had been properly posted

The same viewers were appointed as in case of the petition mentioned above which was signed by C J Rardin, Frank Vaith, Joseph Cobalka &c, said viewers to meet at the same time and place as before stated, and to report at the same time

The following county officers elect, appeared and qualified according to law

Millard A Baker, sheriff
Edwin T White, justice of the peace
S W Howe, " " "
George W Roberts " " "
T S Dickson, superintendent of schools
Herman Ellerman, assessor
E H Van Antwerp, county surveyor
E Miner, register of deeds

On motion, the board adjourned to meet to morrow at 10 a m

Attest — Approved
E Miner, Clerk — W B Valentine, Chairman

SECOND DAY

January 7th, 1879—Board met pursuant to adjournment

Present—Commissioners W B Valentine, chairman, Ole Sampson and Daniel Willcox, also E Miner, clerk

The bonds of Fred Schnauber, county treasurer, and of D F Etter, coroner, were presented and approved by the board

A petition of James Clark was presented to the board, asking the privilege of opening a stand in the court house for the sale of cigars, tobacco, nuts, &c, during the session of the legislature, which petition was, on motion, rejected

The license bonds of Bagmann & Richards, and of A J Carpenter, were approved by the board and the clerk instructed to issue the licenses

The board then proceeded to the settlement with the county treasurer, and the balance of the day passed with the same

On motion the board adjourned to meet to-morrow at 10 a m

Attest — Approved
E Miner, Clerk — W B Valentine, Chairman

THIRD DAY

January 8th, 1879—Board met pursuant to adjournment

Present—Commissioners W B Valentine, chairman, Ole Sampson and Daniel Willcox, also E Miner, clerk

The bond of James E Harden, constable, was presented and approved by the board

The day then passed in settlement with the county treasurer

On motion adjourned to meet to morrow at 10 a m

Attest — Approved
E Miner, Clerk — W B Valentine, Chairman

FOURTH DAY

Jan 9th, 1879—Board met pursuant to adjournment

Present—Commissioners W B Valentine, chairman, Ole Simpson and Daniel Willcox, also E Miner, clerk

The board proceeded with the settlement with the county treasurer

And now at 2 45 p m the board proceeded to open the bids of the different physicians for furnishing medical attendance, &c, to the paupers and prisoners of the county for the year 1879, and the following were the bids offered

Dr E Kidd	$190 00
Drs Etter and Miller,	191 00
Dr H Dietrich,	193 88

On motion, the board voted unanimously to award the contract to Drs Etter and Miller, and the clerk was instructed to prepare the contract

On motion the board adjourned to meet to morrow at 10 a m

Attest — Approved
E Miner, Clerk — W B Valentine, Chairman

FIFTH DAY

Jan 10th 1879—Board met pursuant to adjournment

Present—Commissioners W B Valentine, chairman, Ole Sampson and Daniel Willcox, also E Miner, clerk

Capt Grant Marsh, proprietor of the Yankton and Green Island ferry, asked the board for an extension of time until the first of March next in which to pay his annual license, which was on motion granted

Drs Etter and Miller requested that the name of Dr Dietrich be inserted in addition to their own in the contract for medical attendance, &c, on the paupers of the county, which request was on motion granted

The following bills were audited and allowed

Balance due Clay county, as per settlement Aug 26, 1876	$360 35
Merchants hotel board of jurors, $122 00 allowed	100 00
C L Richardson, oil for jail	3 00
L H Eliot, deputy sheriff's fees	28 15
Chas C Morris, Bailiff's fees	20 00
Mrs L H Thwing, money advanced for board of pauper	12 00
Margaret Stoller, use of house for election $5 00, allowed	3 00
Wynn, Buckwalter &Co, mdse for county	1 80
J & H Leber wood for county, $6 75 allowed	5 75
C Broderson, board of paupers	62 00
E Miner, salary of county clerk quarter ending Dec 31	150 00
A J Faulk, clerk of the court fees	276 70
J M Miller, county physician in place of Daniel 4th quarter	50 00
D McCully, water for county	10 50
Mills & Purdy, mdse for county	3 40
Chas Eiseman & Co, mdse for county	10 00

The report of L T White justice of the peace for the quarter ending Dec 31st 1878, was approved and allowed as follows

F T White, justice fees	27 20
R J Mershon marshall's fees	4 00
P C Conway, marshall's fees	3 90
C H Bates, marshall's fees	4 10
Alexander Hermin, witness fees	2 90
Herman Hewer, witness fees	2 90
John Hermin, witness fees	2 90
C R Rudolph, witness fees	2 90
Joseph Kornfelder witness fees	2 70
Nettie Steinbegr, witness fees	1 10
M M Mathieson interpreter's fees	2 20
Smith Benjamin interpreter's fees	1 10
Phil K Faulk, fees as county atty	236 00
Phil K Faulk, fees in justice court	77 50
L Sampson, wood for paupers	5 50
A W Barber, services as county superintendent for December	33 75
M A Baker, sheriff's fees for December	108 71
Dakota Herald printing for the county	3 20
Frank Swanson, jailor's fees December	50 00
Samuel Simonson, assistant jailor during court	52 00

The report of G W Roberts, justice of the peace for the quarter ending December 31st, 1879, was approved and fees allowed as follows

G W Roberts, justice fees	$28 65
R J Mershon, marshal's fees	4 10
Ingebert Langdale, witness fees	2 20
G Langdale, witness fees	2 20
Peter Royem, " "	1 10
Alison Bovee, " "	1 10
George McDonald, witness fees	1 10
Will Hoyt, " "	1 10
G W Roberts, house rent for pauper	8 00
Knut Lee, services as constable on election day	3 00

On motion the board adjourned to meet to morrow at 10 a m

Attest — Approved
E Miner, Clerk — W B Valentine, Chairman

SIXTH DAY

January 11th, 1879—Board met pursuant to adjournment

Present—Commissioners W B Valentine, chairman, Ole Sampson and Daniel Willcox, also, E Miner, clerk

The board proceeded with the auditing of bills and the following were allowed

Cal C Valentine, taking testimony and transcript of same, 360 folios	$52 00
Bowen & Kingbury, printing, &c	48 90
Hildo Stter, use of house for election	3 00
C J Kadish merchandise for county	9 60
A Kaiser, board of pauper	18 00
A Schindeln, Mdse for county	7 05
N J Cramer, services in probate court, &c	10 00

GRAND JURORS

Joseph R Hanson	$14 00
Herman Buerdorf	14 00
John M Fogerty	14 00
Edward Cook	15 60
Henry Bradly	14 00
Thomas Iuch	14 80
Silas Burton	15 70
Joseph West	15,20
Charles Fahrenwald	15 80
Alvah M English	14 00
Eli G Wheeler	14 80
Joseph Volin	14 50
John M Lyon	14 00
Albert F Hvaard	14,20
Isaac Piles	14 00
John O Bates	14 00
William Miner	2 00
John W Bramble	2 00
John Schnell	2 00
Truels Madsen	2 30
Wm H Edmunds	2 00
M U Hoyt	2 00
Nicholas Morgan	2 00
Levi L Shurtliff	2 00
Christopher Thompson	2 00
Mark M Parmer	2 00
Helger Severson	4 00
A B Dunlap	2 00
Walter H Carr	2 00
George W Winter	2 00
Warren Osborne	2 00
Wm F Eldridge	2 00

PETIT JURORS

E L Fletcher	$ 2 00
Peter Larson	34 80
Milton Morey	32 80
John Noonan	38 00
William Leaning	38 00
John Levorson	32 60
Ira Barnes	32 00
John Swanson	33 00
Wm F Baade	33 00
Hans Helgerson	8 30
W J Willcox	29 50
Lemuel Karr	32 00
Mathias Bagstadt	32 80
John H Stubbs	36 00
Abram Van Osdel	33 00
Fred B Hammond	36 00
Charles Stanage	32 70
George B Hoffman	32 00
George P Dix	34 00
James M. Walsh	30 60
Henry Rudd	30 00
Charles L Bancroft	30 00
Charles Stephenson.	34 00
Daniel Willcox	30 00
J L Foskett	18 00
David De Vol	30 00
John Treadway	30 00
H Robinson	4 00
George Musselman	2 00
C A Bedford	2 00
James Fox	2 00
H C Marshal	$ 2 00
Robert H Bennett	4 00
Benjamin F Kirby	4 00
George N Jenkins	4 00
Timothy B Burleigh	2 00
Robert Cox	2 00
Andrew Simonson	3 20
Axel Kyes	2 00
James Hendershot	2 50
Charles J Olsen	13 10
John Beck	2 00
Adolph Brauch	2 20
E B Bininger	12 00
Thomas Frick	2 60
C H Hasleton	2 00
John W Lattimer	12 00
Guido Scherer	2 00
Michael Buchholz	2 00
M D Lingo	2 00
Lafayette Fraver	12 00
Patrick M Fox	2 10
Nathan M Myers	12 00
Warren Osborn	2 60
George W Delamater	2 00
Hiram Robinson	2 00
M D Gardner	2 10
James Hendershot	2 00
E S Mosher	2 00
Jacob Brauch	2 20

WITNESS FEES

R J Mershon witness fees	$10 20
Pauline Heine	18 20
Christiva Heine	18 20
Margaretta Heine	12 60
Robert Barnes	12 00
Dr John McGregor	7 00
Mrs McGregor	6 00
Wm Powers	8 00
Fred Schnauber interpreter	6 0.
Peter Rovem	2 00
Peter Learson witness fees	4 00
Ingebrigt Buereth	4 70
Ingebright K Buersuth	6 70
James M Stone	1 00
William Hoyt	1 00
Henry Kietzmann	2 00
Ludwig Kietzmann	2 10
I D Keeler	1 00
F W Beckmann	2 00
Rhoda Riding	1 00
L M Fdding	1 00
L M Coates	1 00
P C Conway	1 00
Charles H Bates	1 00
Dr Z T Daniels	10 40
Dr D T Etter	1 00
E Miner	1 00
Ed Palmer	2 00
E T White	2 00
Belle Mourance	1 00
Jack Venable	3 00
Timothy Welby	1 60
John L Taylor	1 00
Robert Williams	3 00
James D Prentice	1 00
Gustav Lentz	3 00
Jacob Lunde	4 00
August Anderson	1 00
Nels Nelson	4 00
Lawrence Hanson	1 00
Lars Hanson Miller	2 00
Andrew Erickson	6 50
Hans Helgerson	6 00
Jacob Lunde	6 0
F J Searles, sheriff's fees	60
Wellbaum & Becker, boarding paupers, &c $50 45—allowed	46 70
Edwin Parker, work on court house	5 50
C J Kadish, merchandise for county	6 70
G A Wetter, publishing proceedings, &	49 50
H A Schoregge, lunch for jurors	6 60
Peter Rovem, witness fees	2 10
A G Fuller, hon. expense for pauper	15 00
L H Eliot, deputy sheriff fees $18 25 allowed	14 55
C L Richardson, oil for jail	3 00
C Long, boarding pauper $60 00, allowed	20 50
Wm Brown, care of sick pauper	49 50
C J Kadish, merchandise for county $4 50, allowed	3 50
C P Edmunds, deputy sheriff fees	35 45
W B Valentine, services as county commissioner	18 00
Daniel Willcox, services as county commissioner	18 00
Ole Sampson, services as county commissioner	19 50

ROAD FUND

C Freng, work on road	$30 00
Charles Farenwald, work on road	9 00
Milton Morey, timber for bridge	9 00
E P Wilcox, lumber for bridge	34 93
S C Peterson, work on road	6 00
Tyler & Nissen repairing scraper	2 25
St Croix Lumber Co, lumber for bridges	7 70
Wynn Buckwalter & Co, spikes, &c, bridges	17 85
Shannard & Wynn, lumber for bridges	31 79
Joseph Inch, work on road	6 75
S W Howe, work on road	6 00
E P Wilcox, lumber for bridges	5 04
Samuel VanOsdel, lumber as per contract	60 00
Ole C Peterson, work on road	31 25
Peitler & Bro, nails, &c for road	3 48
P O Olson, work on road	9 75
Samuel B Hussey, work on road	11 25
Silas Barton, work on road	11 25

The bill of F Schnauber for $873 00 as salary of county treasurer for extra services from February 17th, 1877, to December 29th, 1878, was on motion rejected

The bills of Drs J M Miller and D F Etter for $15 00 each for examination of William Bernard and William Hatch insane from Lawrence county were also on motion rejected

The following resolution was on motion adopted by the board

Resolved That the county surveyor be and is hereby instructed to meander the north bank of the Missouri river from Yankton to the line of Clay county to ascertain what lands have been washed away said work to be done before the county assessor commences to make the assessment for 1879 and to be done at an expense not to exceed $30 00

August Swanson appeared and took the proper oath as constable elect and presented his bond which was approved by the board

There being no further business the board on motion adjourned to meet on Monday February 17th next at 10 o'clock a m

Attest — Approved
E Miner, Clerk — W B Valentine, Chairman

NOTHING SHORT.

Of unmistakable benefits conferred upon tens of thousands of sufferers could originate and maintain the reputation which Ayer's Sarsaparilla enjoys It is a compound of the best vegetable alteratives, with the Iodides of Potassium and Iron, and is the most effectual of all remedies for scrofulous, mecurial or blood disorders Uniformly successful and certain is its remedial effects it it produces rapid and completes cures of, Scrofula Sores, Boils Humors Pimples, Eruptions, Skin Diseases, and all disorders arising from impurity of the blood By its invigorating effects it always relieves and often cures Liver Complaints, Female Weaknesses and Irregularities, and is a potent renewer of vitality For purifying the blood it has no equal, it tones up the system, restores and preserves the health, and imparts vigor and energy For forty years it has been in extensive use and is to day the most available medicine for the suffering sick, anywhere For sale by all dealers Sold by Mills & Purdy Yankton

YOU MUST CURE THAT COUGH

With Shiloh's Consumption Cure you can cure yourself It has established the fact that consumption can be cured, while for Coughs, Bronchitis, Whooping Cough, Asthma, and all diseases of Throat and Lungs it is absolutely without an equal Two doses will relieve your child of Croup, it is pleasant to take and perfectly harmless to the youngest child, and no mother can afford to be without it You can use two-thirds of a bottle and if what we say is not true we will refund the price paid Price 10 cts 50 cts and $1,00 per bottle If your Lungs are sore or chest or back lame use Shiloh's Porous Plaster Sold by E M Coates

Have you Dyspepsia, are you Constipated, have you a Yellow skin, Loss of Appetite, Head Ache, if so don't fail to use SHILOH'S SYSTEM VITALIZER It is guaranteed to relieve you, and will you continue to suffer when you can be cured on such terms as these Price 10 cts and 75 cts Sold by E M Coates

Wells Persian Perfume "HACKMETACK" is rich and fragrant try it

E M Coates
Yankton D T.

WIRE-BINDERS

The Illinois Millers and the Leading Journals of the Country on Record Against Their Use

At the recent annual meeting of the Illinois millers' state association, held at Springfield the following action was taken relative to wire-binders

"Mr Seybt then stated that he had been requested by the millers' association of Minnesota to bring the question of the wire-binders used by farmers to the notice of the state association of Illinois He then read from the American Miller the action taken by the millers of Minneapolis, whose committee appointed to examine into the subject stated that was damage to mill machinery resulted from grinding wheat which had been bound with wire-binders, and in which small pieces of wire were found Mr Seybt urged that the millers pass a resolution condemning the use of wire-binders, and offered the following

"*Resolved*, That we consider the use of the wire-binders as injurious to our mill machinery, and that we strongly recommend a discontinuance of the wire-binders in favor of cord or other binders which will work no injury to our machinery

"A very animated discussion then ensued which was participated in by nearly all present Some showed pieces of wire taken from different machines, and stating that they had found pieces of wire in the wheat in the burrs, in the chop, in the flour and in the biscuits The resolution was adopted almost unanimously"

Referring to the above action, the American Miller of Jan 1, editorially says

Ever since the first harvest in Illinois throughout the west and northwest have been making complaint of the injury done to mill machinery by the presence of small bits of wire in wheat bound by the new self binders. As noticed in our last issue the millers of Minneapolis have resolved that wherever practicable, a difference of ten cents per bushel be made, discriminating against wire bound wheat The Illinois state association, which was in session during the past month, passed resolutions condemning the use of wire and advising the use of some other material Almost every day complaints have reached us from millers in every part of the west stating the annoyance and damage caused by wire in the wheat Some have suggested that all this hue and cry have been raised in the interest of a certain twine binder, but the sequel will show how reckless such a statement is and how wide from the mark it falls

We have taken a good deal of pains during the past two months to get possession of such facts as would enable us to place the subject in the proper light before our readers, and the results of our investigation warrant us in saying that the wire binder as generally used by farmers the past season is an unqualified nuisance to the miller We may here state in explanation of the fact that some millers have emphatically declared they experience no trouble that very much depends upon circumstances If the grain is threshed while the wire is still bright, and the farmers take sufficient care in cutting the bands little or no inconvenience will be experienced by the miller However, it is a well known fact that very frequently wheat is stacked for a long time preceding the threshing during which time the wire has opportunity to become rusty and brittle, breaking very easily Besides this, who will undertake to say that farmers or rather their employes, take anything like adequate care in seeing that no wire goes in the thresher? Small bits of wire cannot be seen in the wheat after they are broken up in passing through the threshing machine A miller of our acquaintance stood for several hours at the receiving hopper, where grain was poured into the bin from farmers' wagons in an almost ceaseless stream, and saw but one piece of wire, and yet from grinding that very wheat he experienced great pecuniary loss and still greater annoyance from the invisible bits of wire The fact that the rusted wire when broken up by the machine becomes invisible is in itself calculated to make the farmer careful, as no evidence of his negligence is obtainable until after his wheat is sold and the miller's money pocketed Those millers who have not been annoyed by wire in their wheat have their good for tune and careful farmers to thank Their testimony, however, is negative, and when farmers adduce their statements in support of the wire binders, they are like the thief who, in order to overcome the testimony of two witnesses who saw him steal a coat, offered to bring forward two dozen men who would swear that they did not see him steal it In mills where wire bound wheat has been ground, pieces of the wire have been taken from the separators, from the brushes, from the bran, from the middlings, and found in the flour How they get there we will explain in a moment

We have a collection of these bits of wire and ugly looking specimens they are Those that had gone through the burrs were of course flattened out, and range in size from a sixteenth of an inch to an inch and a half in length The edges are sharp and not unlike a knife blade, as suggested by a correspondent in another column When examined through a microscope, this edge presents a serrated appearance, and one can easily see how formidable an enemy it is to the delicate bolting cloth which receives the chop with these miniature saws and razors mixed up with it One miller informed us that these pestilential pieces of flattened wire had ruined $400 worth of bolting cloth in his mill this year, and others had similar experiences to relate Not only this all of these pieces of wire were not so wide as a piece of the wire used in binding would be if flattened out equally, showing that small portions of the wire had been detached by the stones, a fact further proved by the saw-like appearance of the edge of the wire The effect of wire passing through the stones on the face of the stones and on the chop need not be enlarged upon here Every miller will appreciate the full extent of the evil Bits of wire have been taken from the hoop of the burrs by the handful The fact carries its own moral To many, and even to some millers, it may appear strange that wire could find its way through the numerous cleaning machines in vogue in our modern mills Any one who finds wire in the chop will necessarily conclude that it does pass through the cleaning machinery, and this is all that need be known

However, we may venture to say in explanation that all of the bits of wire are more or less curved, and therefore find their way through the apertures of the separating machine The usually sagacious Prairie Farmer, of this city, suggests that milling engineers ought to invent some means of removing the wire from the wheat When our contemporary remembers the fact just mentioned that the wire is most always bent, the full difficulty in the way of removing it by means of separating machines will be seen The best way to remove it from the wheat is to allow the wire to remain in the store instead of carrying it into the field While we hardly think it possible to make a distinction in price between wheat bound with wire and that bound with some other material (and the millers of Minneapolis seem to have had doubts as to the practicability of the scheme in all cases) we believe that some measures should be taken to protect the miller against the damages caused by the careless use of wire Of all the millers present at the recent meeting of the Illinois association only three defended the wire bender Such unanimity of opinion certainly shows that so far the wire-binder has been detrimental to the interest of millers The evil will doubtless work its own cure, but in the meantime millers should not be blamed for their condemnation of what is so manifestly an inconvenience and source of loss to their business"

BUSINESS OF 1878

New York Public

The volume of business during the year, measured in values paid, was about 4 7 per cent smaller than in 1877 and about 1 1b per cent smaller than in 1876, and about 11 2 smaller than in 1875 The average decline in prices in 1875 was 9 7 per cent, in 1876 about 7 5, in 1877 about 10 4, in 1878, to the lowest point reached, about November 1st, it was about 15 If all transactions had been at the extreme low prices of November the increase in quantity since 1875 would have been about 39½ per cent in the aggregate, at every city except San Francisco The decline in values paid appears ranging from 1-10 of 1 per cent at Lowell, where the rent decline has been much larger, to 41 2 at Kansas City, where the failure and withdrawal of important banks have greatly affected exchanges Excepting that city there is not one at which the decline in exchange is more than the fall in prices, at the maximum of depression, and there are only five cities, Philadelphia, Cincinnati, Pittsburgh, Cleveland and Syracuse, at which it was greater than the average fall of prices About the middle of the year at three cities of the largest wholesale trade the decline was almost precisely the same, and corresponds closely with the decline in the aggregate exchanges at these cities, and at nearly all others except those named The result of the year 1878 was substantially this From 8 to 10 per cent more business was done, measured in quantities, than in 1877, but at ranges of prices averaging for the year about 12½ per cent lower than those of the year preceding

LEGISLATURE GATHERINGS

NEW YORK

Albany Jan 9 — Alvord was to-day elected speaker of the assembly, and the proposition to make canals free was renewed.

The governor's message calls attention to the excessive cost of the new capitol which, from the contemplated cost of $4,000,000, has risen to $9 000,000, and will yet cost from $8 000,000 to $10 000,000 He urges the stopping of appropriations for it The total reduction of the state debt in four years is $5 000 000 There is now only $8,000,000 state debt He protests against the government interfering with the suffrage of citizens and congratulates the country upon resumption

MINNESOTA

St Paul, Jan 9—The message of Gov Pillsbury was read to the legislature to day It shows a balance in the treasury of $45,499 subject to credits of $73,007, making the actual deficit $21 000 The floating debt amounts to $122,001 The message recommends caution in appropriations for the ensuing year The statistics show that the number of farmers nearly doubled since 1869, and the sales at the land offices more than double those of last year Three hundred and seventy five miles of railroad was built in 1877 The traffic and earnings of roads show large gains The new office of public examiner has worked well Speaking of national affairs, the message congratulates the country upon resumption, and regrets the condition of the south as exhibited in the late election outrages

NEBRASKA

Lincoln, Jan 9 —Gov Nance and the new state officers were sworn in to day The governor's inaugural is an interesting public document, referring to the present prosperous condition of the state and its prospective growth with general recommendations

Lieut Gov Carnes announced the senate committees, the principal ones being as follows The ways and means, C H Gerbon of Douglas, railroads, Church Horne of Nemeha, judiciary, Brown of Lancaster, highways and public roads, Geo Vanwick, penitentiary, L DeKorval, and live stock, G H Jewett

MISSOURI

St Louis, Jan 7—The Missouri legislature completed its organization to day by the election of the democratic caucus nominees made last night as follows Speaker of the house J E Belch, speaker pro tem, R T Campbell, chief clerk, W S Seymour, assistant clerk Thos J Lingle, president of the senate W H Phelen, secretary, W Y Pemberton

MARKETS BY TELEGRAPH

WALL STREET

New York, Jan 11

Money—3@3½c
Stocks—Firm
Goverments—Firm

NEW YORK MARKET

New York, Jan 14

Wheat—Quiet, No 2 red, cash, $1 10½
Rye—Dull
Corn—Quiet, western mixed, 44½@47½c
Barley—Quiet
Oats—Steady, western mixed, 31@32½c
Pork—Quiet, $7 55
Lard—Dull, $6 10
Whisky—$1 11

CHICAGO

Chicago, Jan 14.

Wheat—Steady and easier, 82½c for cash, 83½c for February, 84½c for March
Corn—Easier, 29½c for cash, 29½c bid for February.
Oats—Nominally unchanged
Rye—Unchanged
Barley—Unchanged
Pork—Active, firm and higher, $7 85½c for cash, $7 95 for February, $8 05 for March
Lard—Good demand and higher for cash, $5 72½c for February, 5 82½ for March
Whisky—$1 06

MILWAUKEE

Milwaukee, Jan 14

Wheat—½@¾c lower, hard, 94c, No 1, 90½c, No 2, 85½c for cash, 84c for February, 85c for March, No 3, 69½c, No 4 61½c
Corn—Steady, 29½c
Oats—19½c.
Rye—42c
Barley—80c

FREE TO ALL

D. M. FERRY & CO'S. ILLUSTRATED DESCRIPTIVE PRICED SEED ANNUAL for 1879

Will be mailed FREE to all applicants. It contains 2 colored plates, 500 engravings, about 150 pages and full descriptions, prices and directions for planting over 1200 varieties of Vegetable and Flower Seeds, Plants, Roses, &c. Invaluable to all. Send for it. Address

D M FERRY & CO Detroit Mich

TAKE NOTICE, LARGER & BETTER THAN EVER

... 24 ... SPLENDID WATCH AND CHAIN FREE WITH EVERY $50 WORTH OF GOODS YOU BUY ...

J BRIDE & CO, 297 BROADWAY, NEW YORK

SHERIFF'S SALE

Territory of Dakota, Second Judicial District } ss

In the District Court within and for Yankton County

Emma E Wood, Plaintiff
vs
Phillipp Tasmann, Rosina Tasmann
Defendants.

NOTICE IS HEREBY GIVEN That by virtue of a judgment of foreclosure and sale in the above entitled action made and dated on the tenth day of December A D 1878, and an execution issued upon said judgment the subscriber Millard A Baker sheriff of Yankton county Dakota Territory for that purpose appointed will sell at public auction at the front door of the court house in the city of Yankton county of Yankton Dakota Territory, on

Friday, the 21st day of February,

A D 1879 at two o'clock in the afternoon of that day the real estate and mortgaged premises situate in the county of Yankton Territory of Dakota and directed in said judgment and execution to be sold and therein described as follows Commencing at the southwest corner of the northeast quarter of the northeast quarter of section thirteen (13) township ninety-three (93) range fifty-six (56) thence east along the south line of said north quarter five hundred and ninety-five feet thence north along the center of the extension of Locust street five hundred and twenty six feet thence west along the line of the lot heretofore deeded by Bernie C Fowler to one John Foerster five hundred and ninety five feet to the west line of said northeast quarter of northeast quarter, thence south along the west line of said quarter of the quarter five hundred and twenty six feet to the place of beginning or so much thereof as may be sufficient to satisfy said judgment and costs amounting in all to one thousand two hundred and ninety-two dollars and twenty-five cents, with interest thereon from the date of said judgment at seven per cent per annum, and all accruing costs of sale

Dated Yankton D T January 13 A D 1879.

MILLARD A BAKER
Sheriff of Yankton Co, D T

N J Cramer
Plaintiff's Attorney n39 6w

FORECLOSURE SALE

NOTICE IS HEREBY GIVEN, That under and by virtue of a special execution to me directed and delivered, and now in my hands issued out of the office of the clerk of the second judicial district court within and for the county of Yankton, D T, upon a judgment and decree of foreclosure and sale rendered and entered in said court on the fourth day of January A D 1879 in an action between Luke W Watriss plaintiff and James S Foster and Frances A Foster defendants wherein I am commanded to sell all those certain pieces or parcels of land situate in the city and county of Yankton D T and described as follows to wit Lots ten and eleven (10 & 11) of block fifty nine (59) in the city of Yankton and lots ten eleven and twelve (10 11 & 12), of block sixty-six (66) in Lower Yankton according to the recorded plats of the same That I shall on

Friday, the 21st day of February,

A D 1879, at two o'clock p m, of that day, at the front door of the court house in the city and county of Yankton Dakota Territory in obedience to said decree of foreclosure and sale sell the above described property or so much thereof as may be necessary to satisfy plaintiff's judgment, amounting to two thousand seven hundred and four dollars and fifty-three cents, with interest thereon from January 4 1879, together with accruing costs, to the highest and best bidder, for cash

Dated Yankton, D T, January 15 1879

MILLARD A BAKER
Sheriff of Yankton County D T

E G Smith, Plaintiff's Attorney n39 6w

NOTICE

United States Land Office, Yankton, Dakota, Jan 8 1879

Complaint having been entered at this office by Andreas Stylor against Ernst Mueller for abandoning his homestead entry No 1371, dated February 28 1876 upon the northwest quarter section 21 township 96 north, range 57 west, in Yankton county Dakota territory with a view to the cancellation of said entry the said parties are hereby summoned to appear at this office on the 8th day of February 1879 at 2 o'clock p m, to respond and furnish testimony concerning said alleged abandonment

G A WETTER Register
LOTT S BAYLESS, Receiver

39 4w

GROCERIES

The Only Perfect Business

SYSTEM ON EARTH

LAVENDER'S

Cash Grocery House

HAS ADOPTED IT.

NO BAD DEBTS,
No Expenses for Collecting,
No Book Accounts,
No Book Keepers

These expenses, saved by the cash system, permit a great reduction in prices and still afford a margin for an honorable profit

Patrons of Lavender's Cash Grocery House get the benefit of this reduction.

Goods delivered free to any part of the city, and orders from abroad promptly filled.

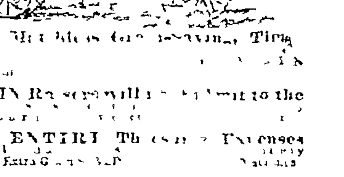
Third Street,

YANKTON - - D T.

TRADE MARK "VIBRATOR" ... 1879

THE ORIGINAL & ONLY GENUINE "Vibrator" Thresher, WITH IMPROVED MOUNTED HORSE POWERS, And Steam Thresher Engines Made only by

NICHOLS, SHEPARD & CO., BATTLE CREEK, MICH.



THE ... Tim...

GRAIN Raisers will ...

THE ENTIRE Threshing Expenses ...

NO Revolving Shafts ... the Separator ...

NOT only Vastly Superior ... Wheat, ...

MARVELOUS ... of Parts ...

STEAM Power Threshers a Specialty. ... Thresher Engines ... Elegant ...

FOR Particulars, call on our Dealers ...

HARDWARE

Zina Richey, Agt.

DEALER IN

HARDWARE, STOVES

AND MANUFACTURER OF TIN WARE.

Mining Goods

Of Every Description

An extensive Tin ... department ... with ...

AGENT FOR THE

Celebrated Otsego Forks

ZINA RICHEY, Agent,

(Sawyers Block

Third-St. - - Yankton D T

BANKS

YANKTON BANK

EDMUNDS & WYNN, Bankers,

Yankton, - - - - Dakota

DO A GENERAL

Banking, Collection & Loan Business

The same as a National Bank

Buy and sell exchange on the principal cities of the United States and Europe Special attention paid to collections and remittances for

Invariably on Day of Payment.

Will loan money, pay taxes and sell real estate for non-residents on favorable terms Agents for reliable Insurance Companies and insure property on terms favorable

DRUGS AND MEDICINES

EXCELSIOR.

DRUG STORE

MILLS & PURDY

Druggists

AND

StationerS

THIRD STREET,

Yankton, - - Dakota

DEALERS IN

DRUGS

All the popular medicines of the day Prescriptions compounded by experienced pharmaceutists

The Finest Assortment of

Books and Fancy Articles

IN THE WEST.

Headlight Oil, the Best in the Market

Press and Dakotaian

Thursday, January 16, 1879.

CITY AND VICINITY

LOCAL LACONICS.

Blowing Goose's Indian name is Ma-gu-bo-de da

Sylvester & Barber are filling an ice house for the summer trade

Andrew Burleigh, was yesterday admitted to practicein the courts of Dakota

The Odd Fellows are moving to day into their new lodge room in Cox's block

The woods are full of antelope on the up river b tom, cold weather having driven them in from the prairies.

A modification or expurgation of the Dakota blue laws is liable to occur at the coming session of the legislature

Michener s agricultural building is being placed on rollers and will be moved to Cap l street, north of Stone s block

People who ride over the Dakota Southern road will be gratified to learn that a new iron bridge is to built across the Big Sioux early in the spring

The tax collections by County Treasurer Scott under for the month of December 1878 were four dollars more than for the month of D cember, 1877

It is just now a grave question among the boys whether a diamond or a cameo is most appropriate for an engagement ring The matter is being seriously discussed

Rev J L Whitner, a seventh day Adventist minister, from Utica, New York, has come to Dakota to put in a year of labor and will make his headquarters at Swan Lake

I is currently reported that special agent Furry has lost his speech but no one who knows him will admit that an article of such extensive propo ons can remain lost a great while

I R Kilpatrick says that, last Friday, at Le Randall and Wh te Swan, the thermometer registered forty eight below zero In his estimation we have had no cold weather here, worth speaking of

I is remarked by people who live in Vermillion that whenever Dr Burdick goes over to Nebraska on professional business the land rises several feet on the Dakota side as soon as he gets off It is also thought a remarkable coincidence that a corresponding depression occurs on the other side as soon as Burdick lands

The phonograph men who exhibited here the other night jumped the town without settling their hall rent with Valentine, and to make the case still more aggravating, they carried off the hall key and made it necessary for Valentine to break open the d or and then buy a new lock He is not hankering after any more phonograph shows

The Chicago, Milwaukee & St Paul railroad officers have conferred upon the member of the late Yankton railroad committee the unsolicited and unexpected compliment o an annual pass each over all the lines of that corporation This looks as though the Yankton committee made something of an impression while it was in Milwaukee

The collector of Internal Re enue deposited yesterday, in the First National Bank, $135, of which, $130, was gold This was paid in by Edmunds & Wynn bankers, of this city Gold and greenbacks are now on a par, paper being prefered by most people, and large amounts of gold that have been hoarded up in stockings for long years will come forth and become a part of the circulating medium of the country

Secretary Hand received a telegram last Thursday informing him of his reappointment, Wednesday, by the president, to the office of secretary of Dakota territory Mr Hand has given four years of service in this position which has been entirely satisfactory to the people and to the government, and his reappointment will be heartily endorsed by those whom he has so faithfully served A speedy confirmation will be acceptable to the people of Dakota

The county commissioners on Thursday opened the bids presented for medical attendance and medicines for the county poor and the inmates of the county jail for the ensuing year Drs Etter and Miller put in a joint bid of $48 50 per quarter, Dr Ed Kidd bid $100 per year, Dr Deitrich bid $128 88 per year The board voted unanimously to accept the bid of Drs Etter and Miller, thereby securing two physicians at a few dollars increase over the lowest bid of a single physician

The parties who last summer attempted to settle in the dirt lodge region, on the Jim and were compelled by the Blowing Goose Indians to abandon their improvements and go to Wah Bay, have written to Governor Howard to ascertain whether or not they are to be permitted to hold peaceable possession of that country They express a fear that the Indians will return in the spring This is one of the most desirable spots in Dakota and settlers should be protected from molestation by this renegade band of government coffee coolers

Judge Kuykendall, of Deadwood, says that the proposed line of the Chicago, Milwaukee & St Paul road, from Yankton up the Niobrara valley and westward through the Wind river region, would give to the company a route which would furnish a paying business from the moment the rails were laid It would tead through hundreds of miles of stock growing country already noted for its extensive herds, and already furnishing a valuable feeder to the Union Pacific road It also contains inexhaustible deposits of excellent building stone, of which would become an article of commerce with a railroad as a highway of traffic A railroad, he says, running directly east from this region of productiveness would take all the business, as these cattle ranges are now a considerable distance north of the Union Pacific line Judge Kuykendall is himself interested in the production of stock in this region, and looks entirely from a business standpoint This is a point for Milwaukee o consider

THE HILLS DELEGATION.

Something about the Three Men sent from the Dakota Gold Fields

Rapid City Journal

The Black Hills legislators are now at the capital, and will, we predict, be heard from every day of the session that Black Hills interests are in any way involved in the proceedings

Judge W L Kuykendall, member of the upper house from Lawrence county, is emphatically a western man, and no one will hold a seat in the Dakota legislature better informed in regard to the wants and necessities of the frontier He is not recognized as a leader in all matters of legislation in which political prejudices do not play a part, we shall be mistaken in our judgment Though not a practicing lawyer, he is well-read in law, and has large store of knowledge, acquired through much study and very considerable experience in prominent official positions, is backed by good solid common sense, qualifying him to honorably and creditably fill a seat in any legislative body in the land

Our fellow-townsman, Dr. N C Whitfield of the lower house, is a gentleman of good natural ability and sterling integrity, and will zealously devote his time to the interests of his constituency He is industrious, studious, and a man of quick perception, and will always be found in his seat and recording his vote on the right side

Dr D W Flick, our other representative though a man of impulsive nature, is disposed to do what is right, and will do it with a rush

Upon the whole we think the people of the Black Hills, politics aside, will be satisfied with the work of their legislators the coming season.

PERSONAL.

Wednesday's Daily

Robert Cox is making a tour of the eastern states

J R Kilpatrick arrived last night from White Swan

Gov Howard is improving as rapidly as could be expected

W H McVay is recovering from a serious illness and expects to be out in a few days

Miss Bessie Sharpe and Miss Gertie Shannon have gone to Ft Randall with Miss Lugenbeel

Postmaster Howard was under the doctor's care yesterday, but is attending to his regular duties to day

Simon Gamble came in last night from a Sully trip, and is being thawed out to day

Nicholas Hanson, a Vermillion merchant, is registered at the Jencks

Major Hughes will leave to morrow for St Louis, with the intention of tarrying a day or two at Sioux City, and Capt Holly and his family will follow on Friday It is with genuine regret that Yankton parts with these military gentlemen They have formed many enduring friendships during their brief stay here and have made themselves favorites with the community at large Maj Hughes' successor Maj Grimes, will be here about the last of this month

Thursday's Daily

Governor Howard continues to improve

A J Mead, of Springfield is in Yankton to lay

O P Hage returned last night from an eastern business visit

Bishop Hare was in town last night and went east this morning

W W Aurner, of Swan Lake, came to town last night and will remain a day or two

Judge Moody and Frank Washabaugh will leave to morrow morning for the Black Hills

Hon S L Spink will leave to-morrow for Philadelphia to attend a meeting of the centennial commissioners

J A K at arrived last night from a long visit at the east and will here await the opening of spring business operations in the up per country he will probably go in and make some more money

Hon Ansley Gray and wife arrived last night from Bismarck and can be found at the Merchants hotel Mr Gray is one of the few democrats elected to the legislature and will represent the north district in the house of representatives

Judge W L Kuykendall of Deadwood located himself at the Merchants last night, where he can be found during the extra and sleeping hours of the legislative session He is a democrat and was chosen at the late election to represent the thirteenth district in the territorial council

Friday's Daily

J S Meckling, of Sioux City, is in town to day

Fred J Fox, of Niobrara, was in town last night

Governor Bigelow, of Vermillion, is in Yank on to day

Capt W W Marsh, of Omaha, arrived last night from the east

C D Woolworth came down from the upper country la t night, and went below this morning

Dr R McGarren, one of the first settlers of Missouri Valley Junction, is taking a look at Yank on

Emil Brauch, of Swan Lake, is spending a few days with the friends of his youth here in Yankton

G R Chase of the Elk Point law firm of Chase & Wilsworth, is spending a few days at the capital

J D Vaughan connected with the Deadwood Times, arrived last night f om Deadwood He made the through trip in five and one half days, via Sidney Mr Vaughan will remain in Yankton a few weeks

Hon George H Walsh and son, of Grand Forks, arrived last night Mr Walsh represents the eighth dis rict in the legislative council, and is a republican He was a member of the last republican territorial convention

Hon Michael Sneiv, of Caledonia, Traill county, member of the house from the twelfth distric, arrived last night Mr Sheely is the gentleman cho en at the special election held on the 24th of December, to fill the vacancy occasioned by the resignation of George E Weston

THE CAUSE OF THE DIFFERENCE,

One of our Ice Dealers badly Cornered by an Inquisitive Female

"You have ice for sale?" was the remark of a lady yesterday, as she accosted a dealer in that article

"Yes um, I have Good ice too, clear and clean and cold, and beautiful ice, mum," was the response

"How do you sell it?"

"Seventy-five cents a load"

"But I can buy it down the street for fif y cents a load," she said

"Well," replied the dealer, (who was laboring under the delusion that he possessed a monopoly of the ice business, and was very much embarassed over the sudden discovery that he had a rival in trade, but was not at all disposed to be out done in low prices) "Well, I'll sell you ice for fifty cents a load too We have two kinds"

"Will it be good ice?" asked his fair customer

"The best kind—large solid chunks, transparent as air, and absolutely free from all deleterous substances which might impair its quality or in any manner interfere with the results to be obtained from"—

"But," she interrupted, "what's the difference between your fifty cent ice and your seventy-five cent ice?"

He had been afraid it would occur to her to ask some such question as this before he could think of an answer, and as it came out he drew in a long breath and scratched his head, but finally rumbled to himself and explained You see, mum, our seventy-five cent ice aint any better quality, but we cut it farther out in the channel, where it's more dangerous to get" and then he swashed his handkerchief down over his blushing countenance, wiped off the accumulated perspiration and waited as meek as a lamb for further developments

"I think," she said, "I will take a load of the fifty cent kind"

He was glad to get rid of her on those terms and when she had gone he went off and sat down on a cake of his favorite merchandise and fanned himself with a snowball It was a terrible trial he had gone through with, being all unprepared with something to say, and since then he has thought of a dozen better reasons than the one he gave

VICK'S FLORAL GUIDE

Of the many guides and seed and plant catalogues sent out by our seedsmen and nurserymen, and that are doing so much to inform the people and beautify and enrich our country, none are so beautiful, none so instructive as Vick s Floral Guide Its paper is the choicest its illustrations handsome, and given by the hundred, while its colored plate is a gem This work although costing but five cents, is handsome enough for a gift book, or to place on the parlor table Published by JAMES VICK, Rochester, N Y

A CARD

To all who are suffering from the errors and indiscretions of youth, nervous weakness, early decay, loss of manhood, &c, I will send a recipe that will cure you, FREE OF CHARGE This great remedy was discovered by a missionary in South America. Send a self addressed envelope to the REV JOSEPH T INMAN, *Station D, Bible House, New York City*

NEIGHBORHOOD NEWS.

The old settlers reunion at Vermillion was a pleasant affair

C G Shaw has been reappointed postmaster of Vermillion

On the 3d inst Niobrara's thermometer recorded forty below zero

Real estate to the value of $325,500 changed hands in Minnehaha county during 1878

One span of the Dell Rapids bridge is nearly completed and the other will be completed in a couple of weeks

A pickerel thirty-eight inches in length and weighing nearly twenty pounds was captured in the Sioux I ist Monday

The citizens of Sioux Falls are to have a public meeting at which needed legislation affecting that corporation will be discussed

A young man working for C N Taylor of Meckling, was unfortunate enough last Friday, to be thrown from a horse, breaking his collar bone

The Pantagraph gives a revised report of the improvements and business in Sioux Falls during 1878, which largely increases its previous totals

The Pioneer learns that the horse thieves on the upper Niobrara have been making a successful raid among the cavalry horses at Spotted Tail agency

C M Bergen, of McCook county was found frozen to death, last Sunday, in a board claim shanty, near Cameron He recently came to Dakota from Chicago

The Dakota Southern pays taxes on 29¼ miles of railway in Union county including the Pembina branch The amount paid this year was $2 824 besides about $40 for telegraph

A correspondent of the Vermillion Standard gives vent to a store of indignation because the officers of the territorial agricultural society do not come down with the premiums promised

Elk Point Courier Up in Virginia town ship a matrimonial club has been organized, the members of which have thrown themselves squarely upon the market They are open for propositions

The Swan Lake Era reports that a cow belonging to S Welch, of Unity, recently gave birth to twin calves that weighed at birth sixty pounds each This circumstance is related in Hackett's first issue after New Year's day

Sioux Falls Times Through the instrumentality of M Grigsby, Esq, a man named Peterson was lodged in the Lincoln county jail this week, on a s duction case Peterson will take board and lodging at the jail until he can give the bail required

Vermillion Standard A new town very pleasantly situated about one mile below a place called Finlay in Turner county, D T, has been located Mr T H Treat formerly of Evansville, Wisconsin, is the proprietor, and one of the best business men in the territory

Sioux Falls Pan agraph Last Friday, the trustees of the Congregational church consummated arrangements with Rev J N McLoney whereby he has been secured as the pastor of the society here or the ensuing year, and there is universal gratification felt over the fact not only by the members of the church, but by the general public

Sioux City Journal Just before the beginning of the recent cold snap men were engaged in cutting out ice in the Missouri river, leaving a large area of open water Thursday ther abandoned work on account of the cold, and on b ginning again yesterday it was found that ice eight inches in thickness had formed in the place that was open water only four days previously

The Gary Inter State lays its shot gun on the table and remarks "The Canby News, with the perinacity and cheek of a government mule, reiterates the foolish and senseless statement that that railroad shanty town has shipped more wheat than any other point on the line of the road How a man can be in that manner with no compunctions of conscience is simply astounding, and with it is amusing in light of facts We have never seen the Canby News, but i must in some respects, resemble the Bismarck Tribune

At a recent meeting of the Minnehaha county bar association an attorney's fee bill and a scrivener's and conveyancer's fee bill were adopted, and the secretary ordered to engross them and present them to the members of the profession for signature, and then have them printed Messrs Bippus Pettigrew and Grigsby were appointed to prepare a remonstrance to be sent to our delegate in congress, protesting against the United States courts, for the proposed fourth judicial district, being held outside the district, comprising the counties of the Sioux valley, in case such district shall be organized

DR. BURLEIGH'S COMING EXCURSION

The Philadelphia New Northwest contains the following account of Dr Burleigh's contemplated Missouri river and Yellowstone river excursion

Dr W A Burleigh, of Yankton ex congressman, and one of the most popular and enterprising of the upper river operators, has planned and is now engaged in making the necessary preliminary arrangements for the grandest steamboat excursion ever projected in the far west Starting from Yankton about the first of May, he will first take his excursionists up to the falls of the Missouri, 30 miles above Fort Benton, in the days of Lewis and Clarke, the greatest natural wonder of the western mountains, then dropping down to the mouth of the Yellowstone will ascend that river and the Big Horn to the scene of the lamented Custer's last fight, and then go on up the Yellowstone to the highest point accessible by steamboat there he will have guards in waiting, with necessary saddle and pack horse, when his excursionists will be taken up to the Mammoth Hot Springs on Gardner's river, and on up to the great falls of the Yellowstone, and all through the National park, giving them ample time to view the geysers, mud volcanoes and other wonders of the most wonderful spot of earth The boat, Gen Terry—new, swift and staunch—will be remod led in palace car style, for the important venture, and the doctor will use another of his boats for the same purpose if the number of applications for passage should warrant Quite a number have already applied for passage Ninety days will be given to the round trip, and the total distance to be traveled will not fall short of 5 000 miles

LIST OF LETTERS

Remaining in the postoffice of Yankton Yankton county, D T, Jan 8, 1879

If not called for in 30 days, will be sent to the Dead Letter office

Aalseth Martin	Kupal Keydo
Alberty Louis N	Mottice Henry
Bush Mrs Barrah	Magner Joseph
Burgess Frank	Matthews J K
Chancell & Covell	McBridge Mrs Mary
Cotton Harvey D	Nakaing Nagun
Eldboe Miss Ida	Olson Miss Sophia
Frost John	Shaw Mmd—2
Hellman James—2	Slaven Author O
Hayden Mrs M L	Smith M C
Hird Mrs Mollie	Stone N R
Jackman Jacob	Pechetter Paul
Johnson Miss Mary	Yost Edward
Kiser Miss Mamy	

HELD FOR POSTAGE

Ward A. Dwight, Chicago, 3c

Persons calling for advertised letters will please say advertised

A W HOWARD, P M

TRIUMPH OF SCIENCE.

Chemistry never achieved a more decided triumph than in the production of SOZODONT, which is a botanical preparation of wonderous efficacy in preserving and beautifying the teeth, rendering them firm decay and rendering them as white as alabaster It is a toilet luxury of which all should avail th mselves The unpleasant odor communicated to the breath by catarrh, bad teeth, etc, is entirely obviated by this fragrant and salutary antiseptic of which one bottle lasts a long time Druggists and perfumers sell it.

SWARTZ AGAIN.

The Other Side Puts In a Rejoinder Which Bears Down On Everybody Except Ing the Party Who Writes It

Rockport, Dakota, Jan 5 —*Editors Press & Dakotaian*—Some weeks since in the columns of your daily I charged one W H Swartz with falsely and fraudulently exercising the functions of deputy clerk of the district court of Hanson county, D T I also charged that he was, as such pretended deputy violating the laws of congress by administering oaths to applicants for timber claims outside of the territory and falsely certifying that such oaths were administered in Hanson county In a late number of your issue, you say Mr Swartz has refuted these charges Will you please tell your readers wherein and in what manner the refutation comes? Mr Swartz in his letter tells you that he wrote to the clerk of our court and secured the appointment of deputy clerk and qualified for that office in the city of Winona, Minnesota, He is very careful to date his letter at his residence, but you are well aware that Mr Swartz is a Baptist minister stationed at Eyota, Minnesota, and a resident of that state and if you at the head of one of the leading journals of our territory, are willing to admit before your readers, that a non resident can legally be appointed a deputy clerk of any of the courts of this territory by the clerk of the court o any county, and that such non resident can qualify as such deputy clerk in another state, then the writer of this communication will read ly understand on what kind of testimony you have made up your judgment I re assert that Mr Swartz was not and could not be deputy clerk of the court of Hanson county, and Mr Swartz was as well aware of this as I am As proof then of this charge, I take the testimony of Mr Swartz himself, so far as this communication is concerned My second charge was as such deputy he was violating the laws of congress and perpetrating frauds upon the land office Let us see what Mr Swartz says about this? "I wrote to the clerk of the district court of Hanson county, D T, asking him to appoint me a deputy to enter the claims of some parties who were anxious to locate this fall, but were unable to go out" "I took some twenty-eight claims, and went to Rockport and left the filings in the hands of the clerk to affix the seal Mr Swartz did take some 'twenty-eight claims" and come to Rockport and attached the seal to the affidavits in the presence of no human eye but his own, and perhaps the clerk of our courts How did Mr Swartz take these claims I have got the record in my office, part of which have come from the land office, which shows precisely how he took these claims On November 6th 1878 Mr Swartz was administrating oaths to claimants in the state of Minnesota and among the parties to whom he administrated oaths on that day, was Cyrus S Ricker, whose affidavit then and there taken, is in my office On the 6th of November, 1878 this same Mr Swartz was administrating timber oaths at Grand Rapids, in the state of Michigan, not to 'kindred' or 'personal friends" but to entire strangers to him after having procured an introduction to his victims as a minister of the gospel in good standing Among the parties whom he induced to trust him at Grand Rapids was Robert S Vickers a man well known in the state of Michigan It was partly on the complaint of Mr Vickers that I made my first charge I have Mr Vickers' letter in my office, which charges Mr Swartz with 'capturing" three hundred dollars in Grand Rapids alone, and which bitterly complains that Hanson county, Dakota territory, should allow the seal of the clerk of its court to travel over the United States to deceive the unwary If you will publish these letters, I will have certified copies made by our county clerk and send them to you After Mr Swartz had procured a large number of these affidavits, in at least three different states, he came to this county and arrived here about the 20 h of November, and at this time, as heretofore stated, the seal was fraudulently attached to these affidavits In other words, Mr Editor, a large number of persons were sworn in Michigan, Wisconsin and Minnesota, and certificates were sent from this county and from Armstrong, that such persons were sworn in the county of Hanson Not only is this a violation of the laws of congress, but Mr Swartz commits a criminal offense in making a false certificate which was evidently made to keep the knowledge of the violation of the land laws from the register and receiver at Springfield Had Mr Swartz certified to the truth that these affidavits were made outside of this territory by him as deputy clerk of Hanson county, then as a matter of course they would have been rejected at the land office This Mr Swartz know as well as any man living, and he certified to a falsehood with his eyes open Let me here make a statement, which I can prove by a witness here, and one at Sioux Falls In August last Mr Swartz at Sioux Falls inquired of your correspondent whether timber and homestead entrees could be made at the land offices in this territory, without the claimants coming here in person My answer was it could not be done and I took from my pocket a circular containing the law and read it carefully and explicitly to Mr Swartz I have been accustomed to look upon the newspaper press as guards of law and public morals, and I must say that when I read in the columns of your paper the statements made by Mr Swartz, and he letter addressed to him by our county clerk, showing such a criminal violation of the laws of the federal government and the statutes of our territory, without a single comment from you, I was at a loss to know whether you had failed to comprehend its full meaning or lacked the courage to condemn wrong

I have the evidence in my possession to prove all my charges against Mr Swartz heretofore made, and if Mr Swartz comes within the jurisdiction of our courts I shall endeavor to show that he has violated a criminal statute of our territory I shall show

1st That he was not deputy clerk of the court of Hanson county

2d That he knew he was perpetrating a fraud when he attempted to exercise the functions of that office

3d That he made out, signed his name to, and caused the seal of our court to be attached to not less than sixteen false certificates

4th That he paid the clerk of the court of this county a bribe for an illegal use of his seal

Respectfully yours,

A D LA DUE

NEBRASKA'S MAN BURNERS

Omaha, Jan 8—Olive, the stock man, and others arrested at Plum Creek Sunday for the murder of Mitchell and Ketchum, are being taken to night to Lincoln and other parts of the state, outside of the excited region, for safe keeping, on an order of Governor Garber It has been expected the prisoners would be tried at a special term of court, called January 14, by Judge Gaslin, for the trial of Richards, but it is now probable, on account of the excited feeling, they will be taken elsewhere

A rumor prevailed yesterday that a large number of cow boys were massing near Kearney to liberate the arrested parties, but the rumor is probably false The names of the men now in custody for participation in the crime are J P Olive, John Baldwin, Nyran Brown, Wm Greene, Fred Fischer, Phil Dufreend, Perro, a Mexican, and ex-Sheriff Barney Gillan

The American people are treading on 100,000 cords of wood all the while—shoepegs.—*New York Graphic.*

SNARES OF A GREAT CITY

A Dakotaian Is Found So Verdant As to Be Robbed of His Subsistence On Simple Freeze-Out

Sioux City Journal

'Tis the old story again repeated Although transpiring several days ago the matter has just come to light—in fact the victim peached on himself, and that's how we found it out The gentleman bears the cognomen of George Dupont and for several months previous to coming to Sioux City he lived in the rural districts up above Yankton Having sathered together about $80, he concluded he would come to Sioux City and see the sights He had always heard that our pleasant little city was noted for its morality, sobriety, and all that, and that a stranger was never left out in the cold but was always taken in—when opportunity presented Accordingly he picked his carpet bag came into Sioux City on the Dakota Southern and after the shades of night had settled down upon this community he sallied forth to do the town by gaslight Now Sioux City is not the largest city in the world, still it is large enough and wicked enough to take in all the spare change Mr Dupont or any of his friends has to dispose of, and in this instance it did not wish to show any impoliteness and so did not refuse to receive the silver and national bank notes that Mr Dupont so generously tendered For several days our friend walked the streets and visited all the places of interest until his $80 dollars had dwindled down to about half its original proportions But he was having a good time and didn't care a cent for expense

The fourth day after Mr Dupont's arrival in Sioux City he concluded he would stroll down to the depot and possibly he might meet some acquaintance upon the incoming trains He had not been warming his shins very long at the stove before a man tapped him on the shoulder and remarked "I believe your name is Dupont—George Dupont—is it not?" Our friend gazed at the inquirer for a moment rather bewildered like and answered slowly, "Yes" "And you lived last summer at—, and worked for Mr—a portion of the time?" Yes replied Dupont "Well I was there on a visit during the time you worked there, and thought I recognized your countenance Stopping in the city for a few days I have been looking around for some old friend with whom to visit, and now that I have found you I'm heeled Come, let us walk up town, while you tell me how everything has moved along since I left" So Dupont never for a moment suspecting that the acquaintance was a "make believe" one linked arms with his companion and the twain passed up Nebraska street to Fourth, from thence to Pearl street and down until Second was reached, conversing upon topics familiar to each, during which conversation Dupont's companion who had given his name as Williams, displayed a knowledge of the surroundings of Dupont's home and the residents thereabouts that astonished even Dupont himself Finally on passing a saloon, Williams suggested that they go in and "take suthin'" Now, as Dupont claims to be of temperate habits, he objected to this procedure, but Williams at last persuaded him to take only a glass of lemonade and right there was where Dupont made a grand mistake One glass of "lemonade" produced a thirst for another and a number were drunk—Williams always paying the bill After a while Dupont began to feel drowsy, and suggested to Williams that he might be excused, so that he might go to his hotel and take a rest But Williams didn't propose to let him off that easy, and told him that a little walk around town would soon wake him up and Richard would be himself once more Dupont consented to this proposal, and so the couple passed up one street and down another, Dupont becoming the meanwhile more and more bewildered, until a rather stylish building was reached and the pair entered Another glass of 'lemonade" was drank by the willing victim, when a back room was entered where at tables sat men with cards in their hands, a pile of circular ivories beside them on the table and the players were occasionally crying 'Give me one card," "Give me three cards," "I'll bet you five," "what have you got," "aces up," "flush," and so on Now the writer of this is a virtuous reporter and of course does not know the name of the game that was being played, but has been told that it exists under the cognomen of "freeze out" But to return to our friend He sat down at one of the tables at the invitation of Williams, and began the examination of the mysteries of the game At first the bets were confined to the ivories—chips we are informed is the name they go by—but finally 50 cents, $1 and $5 were offered to the most successful player Our friend not to be behind, 'put up' as much as any player But luck seemed to be against him He did not win a 'pot"—we believe that is what the proceeds are called—his money was all gone, in short he was "froze out," and pretty bad at that About this time Williams seemed to lose all interest in his friend and when it was ascertained that his 'pile" was exhausted he was piloted into the street and told to get home the best way he could

The 'lemonade" still had a powerful hold on him but he finally reached his lodging place and retired The next morning he realized the loss of his money, that he was far from home and among strangers, and he was in a quandary what to do He walked throughout the streets for two or three days deeply racking his mind what plan to adopt in order to get money to return to his home

Meeting a Journal reporter in his perambulations, and recognizing a sympathetic face, he told his story as above written

The pawning of his carpet bag and contents were suggested, acted upon, and Dupont departed for his home yesterday, a sadder if not a wiser young man

MITCHELL AND KETCHUM'S MURDERERS

Capture of Olivet and His Gang of Desperadoes at Plum Creek, Nebraska

Omaha Bee

The particulars of that terrible crime—the hanging and burning of Mitchell and Ketchum in Custer county—are still fresh in the minds of the public It created a terrible sensation in Nebraska, and all over the country, and coupled with the crimes of Richards, which were made public at about the same time, and also the lynching of the two convicted negroes at Nebraska City for murder and rape, gave a severe blow to the hitherto air reputation of Nebraska as a law abiding and peaceable state The burning of Mitchell and Ketchum created intense indignation all over the state, and the governor was appealed to to make every effort possible to effect the arrest of the villians concerned in the brutal outrage It was suggested that the legislature make an appropriation of $10,000 as a reward for their capture, but as the supposed murderers are now in custody, such a step will not be necessary, but it would probably have been done had not the arrest been made yesterday at Plum Creek

On Sunday morning, December 29th, the funeral of Ketchum took place at Kearney, the Presbyterian clergyman officiating It will be remembered that the burned and mutilated bodies of both Mitchell and Ketchum were brought into Kearney and placed on exhibition in an undertaker's room, and the terrible spectacle only increased the indignation of the citizens, many of whom suggested that the bodies be taken to Lincoln and exhibited before the legislature, in order to induce them to offer a large reward for the capture of the barbarians who perpetrated the crime

The limbs of the bodies had been cut with knives and small pieces hacked out where it was necessary to add to the torture of the victim In many places the burning had not reached the point where the skin was destroyed, making it evident that the flames had been only for the purpose of producing death, and not to mutilate or destroy the bodies The sight was a dreadful one The teeth of each victim were firmly set and the countenance of Ketchum gave the clearest evidence of the most terrible agony Immediately after the burning of Mitchell and Ketchum the finger of suspicion was pointed at J P Olive and his herders and friends, as being the parties either directly or indirectly implicated in the crime It will be remembered that in the previous encounter between Olive's men and Mitchell and Ketchum, a brother of Olive, whose assumed name was Stevens, was killed by Ketchum in self defence as is claimed and after he (Ketchum) had been wounded in the arm by one of Stevens' party It was Olive who paid over the reward to the sheriffs who arrested Mitchell and Ketchum, and turned them over to Sheriff Barney Gillan, from whom they were taken by a masked mob north of Plum Creek while en route to Custer county At first Gillan reported that there were twenty-five men, but soon afterwards it was learned that there were not more than seven, and not less than five Gillan has ever since been trying to explain his part in the questionable transaction, but he has convinced very few, if any, that he was free from blame

Olive, upon learning that he and his gang were suspected, has appeared several times at Plum Creek in a defiant manner, and invited any one to arrest him He swaggered about the town daring any one to take him, and swore that he would not be taken alive. He played the part of a desperado and a bull-dozer, and there is no doubt that he scared a great many men into keeping silent and maintaining a neutral attitude It was generally conceded that to arrest him and his men would be a dangerous undertaking, and the only way to do it, would be by a large armed force surrounding him and his men at their ranch in Custer county It was also admitted that they never would be arrested until a large reward was offered The arrest, therefore, of him and his men at Plum Creek will prove quite a surprise—and an agreeable one to the public It was accomplished by a well-laid strategem It has been customary for Olive and his men to visit Plum Creek on Sundays to get their mail, transact other business, and then go on a spree and bull-doze the community

It appears that Billy Nichols ex Union Pacific agent at Plum creek, had been deputized by Judge Gaslin as a special constable to undertake the arrest, and if our informant, who arrived from the west to day, is correct, Nichols is entitled to great credit for his nerve and the manner in which he effected the capture He was assisted by W Head, W H Almy and a man named Valentine also by Ketchum's three brothers and Mitchell s step son, all of whom had been privately waiting for a favorable opportunity to undertake the job

It appears that these men, or most of them, armed themselves with shotguns and revolvers and secreted themselves in the postoffice and when Olive's men came in one by one as they happened to do, to get their mail, they were ordered to throw up their hands, which they were easily persuaded to do by the guns and revolvers pointed at them As each one surrendered he was disarmed and taken to the rear room They were all capt ured in this way, none of them being yet off mas one was on it In a public capacity it is a duty that a true journalist will perform, whether pleasant or not, and some time in the future even the one whose acts when made public gnaw at their pride, will thank he pen that checked their course in thoughtlessness to bad, from bad to worse—that is unless he has chosen such a career No editor can honorably shirk this duty, although they all wish that friends and foes would shirk their faults and thus furnish no occasion for saying unpleasant things An editor cannot afford to compromise himself by ignoring one public servant's faults without compromising with all When he does this his prestige is lost

Editors do not escape this criticism, and oftimes get a sufficiency of it His articles are too radical for one and not enough so for others, he fails to write an editorial on the subject one reader thinks he should, or offends another if he does, he praises the good acts of one individual and wins the jealous hate of another for so doing, some subscribers (although many who are not subscribers find fully as much fault, think certain matters just the thing for publication, others that it is not Such is the criticism that an editor can depend upon each week, and while the parties who consider themselves aggrieved, work to suppress the sheet that has independence enough to show their faults, no one, even those who know the editor has done right, cares to uphold him in it

Yet while wrong is wrong and exists, we, for one believe that it is right to hue to the lines, let the chips fall where they may" so far as public affairs and public life is concerned If we are wrong we will have to suffer the consequences, and will no doubt know better in the future, if we are right we will have the satisfaction of knowing that we have not taken up the pen in vain At least the experiment is worth trying

GRANT AND THE PEOPLE OF CORK

An Effort to Ascertain What Our Ex President Has Done to Offend a Small Fraction of Ireland

Chicago Inter Ocean

Whether the affront put upon General Grant by the bigoted Corkonian council is to be remembered aga nst the Irish population of that city generally depends upon the action of the latter regarding the matter If they give the insult tacit approval by their silence, then they will be regarded in the same light as the official blackguards who originated the affront it is hardly necessary to say that Irishmen everywhere are concerned in rebuking the ill bred conduct of their countrymen By all the rules of civility and hospitality, a distinguished stranger, representing so largely a friendly people who have often stretched forth their hands in aid and sympathy to the Irish race should have been spared this affront It would be singular, indeed, if General Grant had at all times acted so as to meet the approval of all classes He had more than once offended English men, but the latter had the manliness and good breeding to offer no slight but welcome and to show their appreciation of his eminent abilities by acts of the most distinguished consideration

The trouble with the Irish gentlemen in Cork seems to be that they felt called upon to rebuke some imaginary slight that General Grant had put upon the Catholic church But the ex president has visited their Catholic countries and other Catholic cities—countries and cities much more important than Ireland or Cork—and has been received in their places with the highest honors Who made Cork and the Corkonian council the particular champions of Catholicism? Who put it into their little souls to disgrace themselves and their city, and cast odium on the whole Irish race, by meanly insulting a visitor whom the foremost nations of the world have delighted to honor?

Exactly what it is in General Grant's record that caused this flurry is uncertain, but we presume it grows out of this little speech, made before the society of the army of Tennessee, at Des Moines, in 1875, in which he said

"Let us begin by guarding against every enemy threatening the perpetuity of free republican institutions * * *

"The free school is the promoter of that intelligence which is to preserve us as a free nation If we are to have another contest in the near future of our national existence, I predict that the division line will not be Mason and Dixon's, but between patriotism and intelligence on the one side, and superstition, ambition, and ignorance on the other Now, in this centennial year of our national existence, I believe it is a good time to begin the work of strengthening the foundation of the house commenced by our patriotic forefathers one hundred years ago at Concord and Lexington Let us all labor to add all needful guarantees for the more perfect security of free thought, free speech, and free press pure morals, unfettered religious sentiments, and equal rights and privileges to all citizens irrespective of nationality, color, or religion Encourage free schools and resolve that not one dollar of money appropriated for their support no matter how raised, shall be appropriated to the support of any sectarian school Resolve that neither the state nor nation, or both combined, shall support institutions of learning other than those sufficient to afford every child growing up in the land the opportunity of a good common school education, unmixed with sectarian, pagan, or atheistic tenets Leave the matter of religion to the family altar, the church, and private school supported entirely by private contributions Keep the church and state forever separate That these safeguards, I believe the battles which created the army of the Tennessee will not have been fought in vain"

If these are the sentiments which the eminent councillors of Cork feel called upon to rebuke, then they need to put their armor on for a pretty general quarrel with the American people

SUMMONS

TERRITORY OF DAKOTA, } ss
COUNTY OF YANKTON

In District Court, Second Judicial District.

Frank Owens
vs
Charity Ann Owens } SUMMONS

The Territory of Dakota sends greeting To the above named defendant

You are hereby summoned and required to answer the complaint in this action which is filed on the 4th day of December A D 1878 in the office of the clerk of the district court in and for the county of Yankton, territory of Dakota, at the court house in the city and county of Yankton D T and serve a copy of your answer on the subscriber at his office on third st in the city of Yankton Dakota territory within thirty days after the service of the summons on you exclusive of the day of service If you fail to answer the complaint within that time the plaintiff will apply to the court for the relief demanded in the complaint

Dated at Yankton D T, this 4th day of December, A D 1878.

GLENN SHANNON
Plaintiff' Attorney

35-5w

PROBATE NOTICE

In the probate court of the county of Yankton
In the matter of the estate of } Notice for postponing of application
CHARLES G BROWNE } for letters of administration
Deceased

NOTICE is hereby given that William Ward has filed in this court his petition praying for letters of administration of the estate of Charles G Browne deceased and that Saturday, the eighteenth day of January, A D 1879 at ten o'clock a m of said day, at the court room of said court in the city of Yankton, in the county of Yankton D T has been set for hearing said petition when and where any person interested may appear and show cause why the said petition should not be granted

Dated December 18th 1878

L. CONGLETON
Probate Judge.

37-3w

CATERING TO PUBLIC NOTIONS.

Is It Right for a Newspaper to Criticise Public Acts"

Vermillion Standard

Those who have never held a public office or have been so fortunate as to escape newspaper notoriety will not only answer this question in the affirmative without hesitation, but think the interrogation a very simple one but there are a great many people in the world, and they are not all remote from Vermillion, who cannot stand criticism, whether they deserve it or not Many of them delight in hearing others criticised even sharply, but he who probes the acts that lie uncovered in close proximity to their doors is often thought outrageously criminal in his design, and should it be in their power they justify themselves by persecuting the editor Knowing this to be human nature, the editor must expect this course, and if right public sentiment will defend him, if wrong he deserves public censure, if a man he will take the consequences with out grumbling

There is no man under heaven, especially a public servant, but who at some period of his life deserves just criticism whether it 'cuts' or not, and when given will be a better man for it if he is a man at all It is unpleasant, to be sure, but the world demands it, and it is the fear of it that keeps men within bounds It is much more convenient, often, to do wrong than have the moral courage to do right, and were it not for this fear of merting the contempt of those we wish to have think well of us, society would be in a fearful condition and the innocent and weak made to suffer

Personally it is an unpleasant duty for one to point out the faults of a friend, although it is the duty of a friend to do so—yet oftimes one is over it In a public capacity it is a duty that a true journalist will perform, whether pleasant or not, and some time in the future even the one whose acts when made public gnaw at their pride, will thank he pen that checked their course in thoughtlessness to bad, from bad to worse—that is unless he has chosen such a career No editor can honorably shirk this duty, although they all wish that friends and foes would shirk their faults and thus furnish no occasion

Library of Congress July 19 79

Press and Dakotaian
—ESTABLISHED 1861—
WEEKLY EDITION
Subscription Price, $2 per year
ADDRESS
BOWEN, & KINGSBURY
YANKTON - - DAKOTA.
Thursday, January 23, 1879.

Press and Dakotaian.

THE YANKTON — LIBERTY AND UNION, NOW AND FOREVER, ONE AND INSEPARABLE — UNION AND

Volume 17. YANKTON, DAKOTA TERRITORY, THURSDAY, JANUARY 23, 1879. Number 40.

GUNSMITHS

H. W. WHITE,

Manufacturer and Dealer in

Breech and Muzzle Loading Rifles

Shot Guns Revolvers Ammunition, Fishing Tackle Musical Instruments including my celebrated improved patent violins and other sporting goods Agent for all the best brands of Powder. Will sell down to bottom eastern prices [illegible] of Fire Arms Musical Instruments Sewing Machines, etc repaired Stencil Lettering, Seal Presses Baggage and Key Checks executed with neatness and dispatch Agent for Spies, Hassard & Co New York City

H W WHITE, Yankton, D T.
Cedar Street between 3rd and 4th Sts

HOTELS

BRADLEY HOTEL.
YANKTON, - DAKOTA
Corner FOURTH AND WALNUT STS
Henry Bradly, Proprietor
Convenient for Farmers, Freighters and Teamsters Rates reasonable.

PLYMOUTH HOTEL,
PORTLANDVILLE, IOWA
O.A.STOEL, Proprietor
Newly first class house in the city Good sample and clean rooms Baggage to and from depot free of charge
O A STOLF Prop

PROFESSIONAL.

C J B. HARRIS,
Attorney—At—Law
REAL ESTATE & INSURANCE AGENT
Keeper of Abstracts for Yankton County
[illegible] Law in this and adjoining counties Special attention given to Conveyancing [illegible] Money loaned or invested for [illegible] Will attend to all Land Office [illegible] Pre emption Homestead and Contest [illegible] buy and sell city property, farm [illegible] lands on commission Taxes paid and [illegible] examined throughout the Territory His [illegible] of the best
FIRE AND LIFE INSURANCE CO'S
Has and furnishes correct Abstracts of Title of all the Real Estate in Yankton county
Office. Corner Third and Capital Streets
Opposite the Jencks Hotel
YANKTON - DAKOTA

D FRANK ETTER, M D.
PHYSICIAN AND SURGEON
Yankton, D. T
Office and Residence Corner Fifth and Douglas Streets

G W. ROBERTS
JUSTICE OF THE PEACE
Third Street opp Post Office
YANKTON - DAKOTA

BOOTS AND SHOES

J J. DUFFACK,
Manufacturer of and Dealer in
BOOTS and SHOES

Tongue Boots, Sewed,	$12 00
Plain Calf Boots,	10 00
French Calf " Pegged	8 00
American Calf	7.00

CUSTOM WORK
Made to Order and Repairing a Specialty !
Third Street, Yankton

LUMBER

E. P. WILCOX
Dealer in all descriptions of
Pine Lumber,
Shingles, Lath,
Doors, Sash,
Blinds, Mouldings
BUILDING PAPER
AND FELT
Which will be furnished in any quantity desired
SECOND & MULBERRY STS,
Yankton, - - Dakota

ACADEMY OF THE SACRED HEART
YANKTON, DAKOTA.
This Academy is under the direction of the Sisters of Mercy
The course of studies at this Institution besides the usual branches of a good useful education, embraces
Music, Drawing, Painting, Plain and Fancy Needle Work, Wax Fruit and Flowers, &c , &c
The sessions commence the first week in September and the first week in February
Each boarder will come provided with Table-Napkins Knife and Fork, Silver Spoon Goblet and Work Basket, and have her clothing marked in full
All Payments to be Made in Advance

TERMS PER SESSION

Board and Tuition including Vocal Music in Class, Needle Work, Bed and Bedding	$80 00
Washing	5 00
Music	30 00
Singing Lessons	10.00
Drawing	10 00
Painting	10 00
Painting in oil	15 00
Artificial Fruit and Wax Flowers	15 00
Lace Work	10 00

The Nevada legislature has elected John P Jones United States senator, by a vote of ninety to fourteen

L Bradford Prince's appointment as chief justice of New Mexico has been confirmed by the senate

The secretary of the treasury has issued his eighty first call for the redemption of 5 20 bonds 1865 The call is for $20 000 - 000, $12 000 000 coupons and $8 000 000 registered, principal and interest to be paid at the the treasury on and after the 14th of April next

The Chicago Times estimates that at least five thousand soldiers should be immediately thrown into the Sioux country between the camping places of Red Cloud's and Spotted Tail's Indians and the Nebraska settlements The Times has discovered that these Indians are going to become indignant over the killing of their Cheyenne brethren and that the army is to be needed to suppress their rage That's all right Throw in your troops—and be particular and throw them in via the Union Pacific railroad else the Times' war will not be productive of intended fruits

The house committee on appropriations is anticipating the failure of the Burnside bill by preparing a new army bill for incorporation into the appropriation bill The theory of the measure is to reduce the army 20 per cent by failure to fill vacancies as they occur In accordance with the plan the offices of general and lieutenant general are, upon the death of the present incumbents to be abolished, and the number of major generals is to be reduced to one he to be the chief officer of the army The number of brigadier generals of line is reduced to six

Brothers of the daily Press and Dakotaian, can you see anything in this from the Sioux City Journal? "The first step for the admission of Dakota as a state has been made Judge Kidder has introduced a bill The Dakota newspapers should now send forward their petitions For the Yankton papers, especially the opportunity for activity is ripe"—*Herald*

The only thing we can observe in it is a depth of profundity that really fatigues us We leave it to the Herald to unravel the gloomy mystery which surrounds this scrap of newspaper wisdom

The legislation with reference to railroads at which the Press hints, is probably such modification of the statutes of Dakota as will permit the bonding of counties and in the interest of railway construction Under this reform it is probable the Yanktonians hope to secure the voting of sufficient aid to induce the construction of the Chicago Milwaukee and St Paul road to Yankton —*Sioux City Journal*

It will be necessary for the Journal to make another and a shrewder guess before it reaches a correct interpretation of our wishes We've got a better thing than voting bonds

A Bismarck special says that a son of The Star, a chief of the Rees, at Fort Berthold, has placed six of his warriors around the issue store of the agency, with instructions to let no goods or supplies be sold or exchanged for tickets issued on account of work done There have been tickets enough issued to more than consume the whole amount of supplies The offended Indians claim that the rations must be issued all around, and not given to ticket holders The victuals belong to them without work, and they will have them or raise a row Crow Beast, chief of the Gros Ventres, at the same agency, declares that he will move away and join the River Crows, north of the Missouri He says he will not be a white man until his treaty, supporting him for twenty years, expires,"

THE FT ROBINSON AFFAIR

The newspapers of the east are just now engaged in dishing up the Fort Robinson affair as one of the unnecessary horrors of the day and deprecating the killing of a few treacherous savages as an act of barbarity which calls for the condemnation of the public It is probably impossible for the people of the east to view matters of this nature in the same light in which they are viewed by those whose homes are along the frontier Yet, with the recent acts of butchery perpetrated by these same Indians fresh in the public mind it should not be difficult to conclude that the red murderers have received a valuable lesson and one which *will not be lost upon their surviving* friends and relatives All accounts of the affair agree that the outbreak of the Cheyenne prisoners was the consummation of a deep laid plot and that they contemplated bloodshed in carrying out their plans Their final break for liberty was sudden and unexpected and the first few white soldiers who stood in their way were shot down in their tracks It would, perhaps, have been in accordance with the eastern idea for the balance of the soldier guard to have retired without firing a gun and permitted their savage prisoners to go forth once more to murder innocent women and children and cover the prairies with the mutilated remains of their masculine protectors That they did not take this course, thousands of settlers along the frontier have cause for thankfulness We do not believe that humanity will receive any lasting shock when it learns that these same settlers applaud the act of the military police in placing beyond the power to do harm to a score or two of their natural enemies There is no sentimentalism in the far west upon this subject The live Indian unrestrained is a murdering monster The dead Indian is placed where he can no longer exercise his natural bloody instincts It is a proximity to a constant source of danger which creates this feeling and it will exist so long as there is a border peopled on one side by reds and on the other by whites There may have been an aggravated illustration of Indian mismanagement in the conduct of affairs pertaining to this band of Cheyenne prisoners We are told that they were insufficiently clad and that in the ordinary course of department red-tapeism their supplies of needed clothing would not reach them until spring With a market where clothing is sold within three days' travel from the scene of their confinement, it would seem that at least temporary provision might have been made for their necessities. But all this has nothing to do with the acts of the military The officer in command has his orders to hold a band of outlaws and murderers as prisoners He is carrying out those orders to the letter Had his prisoners been white desperadoes and had similar scenes been enacted in coercing them into subjection, there would have arisen no outcry from among the people of the east who call themselves humanitarians

The democratic legislators of North Carolina have nominated Gov Vance for United States senator

A combination has been formed between the Northern Pacific and Texas Pacific railroad interests by which it is hoped by the friends of each bill to get both through congress this session, and overcome the powerful influences the Union Central, and Southern Pacific railroads are exerting to defeat both bills

We print in another column the bill introduced by Judge Kidder for the formation of another judicial district in Dakota and for the appointment of an additional judge Under the present management our judicial force is overworked and is hardly able at times to give to important cases the attention they demand The people of Sioux Falls are opposed to the clause in the bill which provides for the transaction of all United States business in the Yankton court, and have sent to Washington a protest against this feature of the proposed enactment

The trial of Major Reno, now in progress before a military tribunal in Chicago is being watched with the closest interest by the general public The fame of the seventh cavalry and the deplorable affair of the Little Big Horn by which a portion of the regiment was massacred have rendered the case a familiar one to most newspaper readers Smarting under continued charges of cowardice through newspaper publications and the gossip of camp and garrison Major Reno sought the investigation now being held and by it he hopes to clear up his record A plan of the battle field shows that Custer had just previous to his fatal charge directed Reno to a supporting position from which it might be supposed he could reach the rear of the Indian village on the opposite side of the river from Custer's portion of the command Reno fell back before the enemy and crossed to the Custer side of the river, where he remained, within supporting distance, and failed to render any aid towards extricating Custer from the trap into which he had fallen The investigation is made to ascertain whether Reno's failure to co operate was the result of cowardice, or a misunderstanding, or whether he was unable to force his way to the relief of his superior officer A large amount of testimony is being taken The presumption is that Reno can sustain himself, else he would not have courted an investigation which would otherwise end in disgrace

INFORMATION WANTED

The following letter we give as a sample of the correspondence which comes to this office from eastern subscribers, and we presume that every newspaper publisher in the territory could reproduce numerous communications of a like nature This letter was written by Philip Swartz, of Pecatonica Illinois, but not for publication We print it for the purpose of showing that there is a demand for information regarding Dakota

"I have taken your paper for the past year and find it a very interesting and valuable paper I have circulated all of them among people here and I find many who want to go west and they think Dakota is the place for them, since reading your paper They wish some further information If you have any documents and cheap maps of Dakota,(or if you do not possess them, perhaps your commissioner of immigration could furnish them) please send them to me and I will place them in the hands of those who design going west in the spring"

The foregoing communication from Mr Swartz does not differ materially from scores of letters received by us, and we presume that all Dakota newspaper offices can produce from their letter files an abundance of correspondence of like import The demand at the east is for information regarding the characteristics of the several geographical, divisions of the west The productiveness of the soil is the leading item of importance, and following that information comes a statement of the general resources of the country, its ability to maintain varied industries, its opportunities for furnishing cheap homes to poor people, the inducements offered to settlers and numerous other little items of information which seem small to us but are of the greatest importance to those who contemplate a change of base There is but one way to supply the demand for this species of information and that is through a legislative enactment which shall restore to Dakota its immigration board Thousands of people are seeking homes in the west and it is a duty we owe to ourselves to afford them all the assistance the nature of the case demands Other territories and several states are advertising largely to secure this immigration Unless we do our share they will acquire it It is but the part of wisdom to be generous to ourselves

DIPTHERIA AND ITS CURE

Chicago Journal

MR EDITOR —Allow me to say a few words of the greatest importance to the public, through your journal, in regard to the terrible disease diptheria, which is raging with great destruction of lives throughout the country It has raged here to a fearful extent, quite a large number of cases proving fatal

There is a family here by the name of Light, who moved here from Rochester this season Mrs Light said to some of the neighbors that before moving here she had an attack of the diptheria, and cured herself by the use of kerosene oil as a gargle, swallowing some , but the remedy was so simple that our citizens didn't think anything of it until five of Joseph Jelley's children were taken down with diptheria Their throats became swollen and cankered terribly Mrs Jelley sent after her neighbor, Mrs Millette, who had lost [illegible] on by the disease, to ascertain whether it was really diptheria or not Mrs Millette pronounced it diptheria in a very dangerous form Mrs Jelley said she would use Mrs Light's remedy—kerosene oil—which she gave her children as a gargle, also had them swallow some The children recovered rapidly, and in a few days were out on the street

Another neighbor by the name of Louisa, railroad trackmaster at this place had three children taken with diptheria, and cured them with kerosene

William Emery had four children taken down, and gave them kerosene oil, and they recovered

Robert Gillette was taken down, and cured himself with kerosene

John Reynolds, of Ingraham, had a daughter and niece cured by kerosene oil after they were given up for death by the doctor

What is most astonishing is that not a single case where they used kerosene oil has proved fatal They remedy is simple and certainly cheap, and always at hand in all families throughout the land

Also, George Gillette had three children taken with the same disease very bad, and they were cured with kerosene

Yours truly, P LAWRENCE
West Chazy, N. Y , Oct 21

The residence of Richard Odell, six miles from Vermillion, was burned yesterday morning

DAKOTA IN CONGRESS

A Bill for the Admission of the Territory as a State and a bill for an Additional Judge and Court

On the seventh day of January Delegate Kidder introduced the following bills in the house of representatives

A BILL TO ENABLE THE PEOPLE OF DAKOTA TO FORM A CONSTITUTION AND STATE GOVERNMENT, AND FOR THE ADMISSION OF THE SAID STATE INTO THE UNION ON AN EQUAL FOOTING WITH THE ORIGINAL STATES

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, that the inhabitants of the territory of Dakota included in the boundaries hereinafter designated be, and they are hereby, authorized to form for themselves, out of said territory, a state government, with the name of the state of Dakota, which state, when formed, shall be admitted into the union upon an equal footing with the original states in all respects whatsoever, as hereinafter provided

Sec 2 That said state of Dakota shall consist of all the territory included within the following boundaries, to wit Commencing at a point in the main channel of the Red River of the *north, where the forty-*ninth degree of north latitude crosses the same, thence up the main channel of the river and along the boundary line of the state of Minnesota,to Big Stone Lake, thence south along the boundary line of the state of Minnesota to the Iowa line, thence along the boundary line of the state of Iowa to the point of intersection between the Big Sioux and Missouri rivers, thence up the Missouri River, and along the line of the state of Nebraska, to the mouth of the Niobrara or Running Water river, thence following up the same, in the middle of the main channel thereof to the mouth of the Keha Paha or Turtle Hill river, thence up said river to the forty third parallel of north latitude, thence due west to the boundary of the territory of Wyoming, thence north along the boundary line of the territory of Wyoming and the boundary line of the territory of Montana to the forty ninth degree of north latitude, thence east along said degree to the place of beginning

Sec 3 That all persons qualified by law to vote for representatives to the general assembly of said territory, at the date of the passage of this act, shall be qualified to be elected, and they are hereby authorized to vote for and choose representatives to form a convention, under such rules and regulations as the governor of said territory, the chief justice,and the United States attorney thereof may prescribe, and also vote upon the acceptance or rejection of such constitution as may be formed by said convention under such rules and regulations as said convention may prescribe , and the aforesaid representatives to form the aforesaid convention shall be apportioned among the several counties in said territory in proportion to the vote polled in each of said counties at the last general election, as near as may be , and said apportionment shall be made for said territory by the governor, United States district attorney, and chief justice thereof, or any two of them , and the governor of said territory shall, by proclamation, order and election of the representatives aforesaid to be held throughout the territory at such time as shall be fixed by the governor, chief justice, and United States attorney, or any two of them, which proclamation shall be issued within ninety days from the passage of this act, and at least thirty days prior to the time of said election , and such election shall be conducted in the same manner as is prescribed by the laws of said territory regulating elections therein for members of the house of representatives , and the number of members to said convention shall be the same as now constitutes both branches of the legislature of the aforesaid territory

Sec 4 That the members of the convention thus elected shall meet at the capital of said territory, on a day to be fixed by said governor, chief justice, and United States attorney, not more than sixty days subsequent to the day of election, which time of meeting shall be contained in the *aforesaid proclamation mentioned in the* third section of this act, and after organization, shall declare, on behalf of the people of said territory, that they adopt the constitution of the United States , whereupon the said convention shall be, and is hereby, authorized to form a constitution and state government for said territory, *Provided,* That the constitution shall be republican in form, and make no distinction in civil or political rights on account of race or color, except Indians not taxed, and not be repugnant to the constitution of the United States and the principles of the declaration of independence *And Provided further,* That said convention shall provide, by an ordinance irrevocable without the consent of the United States and the people of said state, first, that perfect toleration of religious sentiment shall be secured, and no inhabitant of said state shall ever be molested, in person or property, on account of his or her mode of religious worship, secondly, that the people inhabiting said territory do agree and declare that they forever disclaim all right and title to the unappropriated public lands and to all lands held or owned by any Indian or Indian tribes until the title thereto shall have been extinguished by the United States, lying within said territory, and that the same shall be and remain at the sole and entire disposition of the United States, and that the lands belonging to citizens of the United States *residing* without the said state shall never be taxed higher than the lands belonging to residents thereof, and that no taxes shall be imposed by the state on lands or property therein belonging to, or which may hereafter be purchased by, the United States

Sec 5 That in case a constitution and state government shall be formed for the people of said territory of Dakota, in compliance with the provisions of this act, said convention forming the same shall provide, by ordinance, for submitting said constitution to the people of said state for their ratification or rejection, at an election to be held at such time and at such places and under such regulations as may be prescribed by said convention at which election the lawful voters of said new state shall vote directly for or against the proposed constitution , and the returns of said election shall be made to the acting governor of the territory, who, with the chief justice and United States attorney of said territory, or any two of them, shall canvass the same and if a majority of legal votes shall be cast for said constitution in said proposed state, the said acting governor shall certify the same to the president of the United States, together with a copy of said constitution and ordinances, whereupon it shall be the duty of the president of the United States to issue his proclamation declaring the state admitted into the union on an equal footing with the original states, without any further action whatever on the part of congress

Sec 6 That until the next general census said state shall be entitled to one representative in the house of representatives of the United States, which representative, together with the governor and state and other officers provided for in said constitution, shall be elected on a day subsequent to the adoption of the constitution, and to be fixed by said constitutional convention , and until said state officers are elected and qualified under the provisions of the constitution, the territorial officers shall continue to discharge the duties of their respective offices

Sec 7 That sections numbered sixteen and thirty six in every township, and where such sections have been sold or otherwise disposed of by any act of congress, other lands equivalent thereto, in legal subdivisions of not more than one quarter-section, and as contiguous as may be, are hereby granted to said state for the support of common schools

Sec 8 That, provided the state of Dakota shall be admitted into the union in accordance with the foregoing provision of this act, fifty entire sections of the unappropriated public lands within said state, to be selected and located by direction of the legislature thereof, on or before the first day of January, eighteen hundred and eighty-two, shall be, and are hereby, granted, in legal subdivisions of not less than one quarter section to said state, for the purpose of erecting public buildings at the capital of said state for legislative and judicial purposes in such manner as the legislature shall prescribe

Sec. 9 That fifty other entire sections of land as aforesaid, to be selected and located as aforesaid, in legal subdivisions as aforesaid, shall be, and they are hereby, granted to said state for the purpose of erecting a suitable building for a penitentiary or state prison in the manner aforesaid

Sec 10 That seventy two other sections of land shall be set apart and reserved for the use and support of a state university, to be selected in manner as aforesaid, and to be appropriated and applied as the legislature of said state may prescribe, for the purpose named, and for no other purpose

Sec 11 That all salt springs within said state, not exceeding twelve in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to said state for its use, the said land to be selected by the governor of said state within two years after the admission of the state, and when so selected to be used and disposed of on such terms, conditions, and regulations as the legislature shall direct *Provided,* That no salt spring or lands the right whereof is now vested in any individual or individuals or which hereafter shall *be confirmed or adjudged to any individual* or individuals, shall by this act be granted to said state

Sec 12 That five per centum of the proceeds of the sales of public lands lying within said state which have been or shall be sold by the United States prior or subsequent to the admission of said state into the union, after deducting all the expenses incident to the same, shall be paid to the said state for the purpose of making such internal improvements within said state as the legislature thereof may direct

Sec 13 That the eighth section of the act of congress entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," approved the fourth day of September, eighteen hundred and forty-one, shall be, and is hereby, declared applicable to the state of Dakota when admitted into the union as herein provided

Sec 14 That any balance of the appropriations for the legislative expenses of said territory of Dakota remaining unexpended shall be applied to and used for defraying the expenses of the said convention, and for the payment of the members thereof, under the same rules and regulations and rates as are now provided by law for the payment of the territorial legislature

Sec 15 That the two sections of land in each township herein granted for the support of common schools shall be disposed of only at public sale and at a price not less than two dollars and fifty cents per acre, the proceeds to constitute a permanent school fund, the interest of which is to be expended in the support of common schools

A BILL PROVIDING FOR AN ADDITIONAL ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE TERRITORY OF DAKOTA

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That hereafter the supreme court of the territory of Dakota shall consist of a chief justice and three associate justices, any three of whom shall constitute a quorum

SEC 2 It shall be the duty of the president to appoint an additional associate justice of said supreme court, in manner now provided by law, who shall hold his office for the term of four years, and until his successor is appointed and qualified

SEC 3 The said territory shall be divided into four judicial districts, and a district court shall be held in each district by one of the justices of the supreme court at such time and place as may be prescribed by law, each judge, after assignment, shall reside in the district to which he is assigned

SEC 4 Until changed by the legislative assembly of said territory, the fourth district of said territory shall consist of the following counties to wit Clay, Union, Lincoln, Minnehaha, Moody, Brookings, Deuel, Grant, Codington Lake, Wood, Hamlin, Clark, Greeley, Stone, Turner and Mc Cook, and the Sisseton and Wahpeton Indian reservation, and the second district shall consist of the remainder of the territory which now constitutes said second district as defined by the statutes of said territory

SEC 5 Temporarily, and until otherwise provided by law, the additional associate justice to be appointed under this act is hereby assigned to said fourth district, and the times and places as now fixed by the statutes of said territory for holding court therein shall remain until changed by law

SEC 6 The district court of said fourth judicial district shall have no jurisdiction to try, hear, or determine any matter or cause wherein the United States is a party, and no United States grand or petit jury shall be summoned in said court , but said fourth district is hereby attached to and made a part of the second judicial district, for the purpose of hearing and determining all matters and causes arising within said fourth district in which the United States is a party

SEC 7 No justice of said territory shall sit in the supreme court upon the hearing, or take any part in the decision or determination, of any cause or matter tried or determined by or before him as presiding judge of the district court

DAKOTA TERRITORY

Report of Governor Wm A Howard to the Secretary of the Interior

Executive office, D T , Yankton, December 16, 1878 —SIR Referring to your letter of the 9th of August last, I beg leave respectfully to report upon the topics suggested, so far as I have been able to obtain the desired information

The territory of Dakota is very large, being nearly four hundred miles square, or more than four times as large as the state of Ohio The settlements are principally confined to three distinct localities as remote from each other as possible, and of very difficult and expensive communication with each other

The settlements of southeastern Dakota, in which is located the present capital, extend from northeastern Nebraska mainly in a northern direction up the Big Sioux, the Vermillion, and the James rivers These settlements are extending north along the border of northwestern Iowa and southwestern Minnesota as far as Lake Kampeska, and as far west as the James river Although the population is sparse at present it is rapidly filling up Southeastern Dakota has a population at the present time of not less than 50,000, and probably 60 -000

Northern Dakota is settled, or rather settling, along the west bank of the Red River of the North, from Richland county, opposite Breckinridge, down to Pembina, on the line of the British possessions, crossing the Northern Pacific railroad at Fargo, and extending west along the line of that road to Bismarck Population, perhaps 40,000

The other settlement is in the Black Hills, occupied mainly by a mining population, and containing a population at the present time of 10,000 at least, and probably 12,000

I suppose it is about 350 miles in a straight line from Yankton to Deadwood But the only feasible way of getting there involves travel of at least 900 miles, and an expense greater than the journey from Yankton to Washington, and requiring more time to perform it The distance from Yankton to Pembina as the "crow flies," is at least 400 miles, and requires more time and expense than a visit to the capital of the nation

The three sections are not only remote from each other and of difficult access, but their interests are separate and not identical

In a commercial point of view, Saint Paul and Duluth are the objective points of northern Dakota, while Chicago and Milwaukee will naturally drain southeastern Dakota Meanwhile the vast wealth of the Black Hills will swing to the right or left as it may best force itself out, or as railroad enterprise shall open a more direct way over which it may move The great Indian reservation west of the Missouri river contains fifty-six thousand square miles, about the size of all Michigan, including both peninsulas Of course, this will prevent settlement, and tend to turn the business of the Black Hills to the south or north of itself

Dakota has no public buildings, no military organization, and no arms There really seems about the same necessity for *three* territorial governments as there is for *one* But as population increases they will soon mingle and blend, and the means of direct inter communication will naturally follow

Answering more definitely your inquiries, I may say

First The resources of this territory are both agricultural and mineral, and of vast extent, only partially developed as yet but enough has been done to demonstrate the fact that Dakota, considering her vast extent of territory, has agricultural resources scarcely second to those of any state in the union Dakota has on the east side of the Missouri river at least sixty thousand square miles of land fit for the plow It is believed at least fifteen million bushels of wheat will be produced next year

I have been unable to obtain reliable statistics of the mineral resources of the Black Hills Enough is known to warrant the statement that the mineral resources are very great Recent discoveries more than confirm the most sanguine expectations The spirit of wild speculation that characterized the mad rush that resulted in so much disappointment, suffering, insanity, and crime has given place to well-directed efforts, guided by experience and skill, sustained by capital I regret I am not able, even at this late day, to furnish statistics I think I should be more apt to find them in Washington or New York or California, where many of the best mines are owned, than in Yankton

Second The soil is generally prairie The rivers are bordered or skirted with timber Building-stone and coal are found in various places The climate is a fair average for its latitude although generally milder than the same latitudes further east drier, and more exposed to wind from the want of timber Our population is generally estimated at 120 000 It is safe to say it is at least 100 000

Third The interest our people take in educational, benevolent and charitable institutions is at least equal to that of any country, as new as this, with which I am acquainted The people highly appreciate the magnificent appropriation made by congress for the benefit of schools, and I believe there will be a disposition to preserve this intact, that posterity may share it to the latest generations We have no insane asylum We have twenty-five lunatics, kept at present at the asylums of Minnesota and Nebraska, at an expense of about $300 each, besides a large expense for transportation Even this cannot be had longer than until February We are now building a pavilion or temporary hospital, so as to bring them home All neighboring hospitals are full of patients of their own We have no penitentiary Our convicts are kept at Detroit, at a very heavy expense for transportation and keeping The management of the convicts is humane and satisfactory, but the expense for transportation and keeping is a very heavy burden, and rapidly increasing In this way, the two items of expense for the convicts and lunatics have absorbed nearly all our territorial revenue, and left a floating debt in the shape of territorial warrants of about $20,000 The construction of a territorial prison and insane asylum seems to be the only means of avoiding future bankruptcy

Fourth The territorial legislature consists at present of thirteen councilmen and twenty six representatives The apportionment is based on population as near as may be, in the absence of a census, the population is estimated on the number of votes cast The legislature meets on the second Tuesday of January, at which session a new apportionment will be made, to conform to the recent act of congress Citizens of the United States, and those who have declared their intentions, become voters upon taking the oath, after a residence of ninety days, but a residence of nine months is required before holding any office

Fifth I have no data with which to answer the fifth inquiry, but would respectfully refer you to the Indian bureau for the desired information as to the tribes, number, condition, &c , but I judge, from what I have seen, the Indians are making some progress in industry and civilization And I firmly believe, if that good time shall ever come when the government shall cease to violate any Indian treaty in the letter or spirit, and shall be able to restrain all white men from encroaching upon the rights of the red men, we shall then have had our last Indian war

Respectfully,
WM A HOWARD,
Governor Dakota Territory
HON C SCHURZ,
Secretary Interior

THE COUNCIL CAUCUS CRITICISED

Its Members Will be Saddened to Learn That They Have Committed a Naughty Act

Sioux City Journal

Hon Nelson Miner, a member of the Dakota council, a republican of many years standing, met a novel experience in Yankton on Monday evening A caucus was held upon that evening to make nominations for the various offices to be filled by the council Capt Miner presented himself at the caucus and the question was raised as to his right to a seat therein He was elected upon an independent ticket, organized in opposition to the election of Hon G G Bennett, the republican candidate for congress in the last election Capt Miner made an explanation, but it was not satisfactory to the caucus, and by formal vote he was refused a seat in the body In one respect this action may prove salutary It is undoubtedly true that the practice of bolting party nominations in the furtherance of personal ends has been hitherto made quite too easy in Dakota , and for that matter, in Dakota's neighboring states The business, however, has been particularly free and easy in Dakota, and there was considerable of it, of a decidedly objectionable character, in the recent canvass The action in Capt Miner's case will serve to bring the matter to general attention throughout the territory and may serve to remind very many that the party holds its own welfare superior to the petty inclinations of its membership The republican party does not propose, in Dakota, or elsewhere, to fetter the consciences of its members, but it must have organization and reasonable discipline, else its conventions for nominations and the adoption of policies are the veriest farces On the other hand the question arises as to the sincerity with which Capt Miner supported Tripp and opposed Bennett in the recent election It is certain that wide dissatisfaction existed in Clay county over the result of the Yankton convention, for that county, safely republican, was carried in the election against the republican ticket This would indicate that Capt Miner's action was not in persuance of an interest personal to himself It is reasonable to presume, furthermore, that the action of the council caucus in Yankton will not in its effect be personal to Capt Miner himself Throughout the canvass Capt Miner insisted that he was a republican , he did not relinquish this claim after the election, and he seemed to be of that same mind on Monday evening Under all the circumstances, as we understand them, we think the caucus made a mistake in not admitting Capt Miner Certainly the republican members of the senate in Illinois would not have excluded him , and the republican members of the council at Yankton should have acted precisely as if Capt Miner's vote in that body were essential to the rule of the republican party While bolting, as a rule, is not to be rewarded, yet as a rule every man should be entitled to elect for himself as to whether he be republican or democrat, and it is seldom that good policy, or the interests of the party, will dictate the closing of the party's doors in any man's face—certainly not the face of an element so large and respectable as that represented by Capt Miner in Clay county

A son of Jerry Gehon, of Canton, licked the arsenic from a case knife which had been used for fixing some wolf poison, and the doctor barely saved his life.

NEWS BY TELEGRAPH

From the Daily Press and Dakotaian

CONGRESSIONAL

SENATE

Mr Voorhees submitted a resolution instructing the committee on Indian affairs to inquire into the circumstances which led to the recent escape of Cheyenne Indians from Fort Robinson and their slaughter by United States forces Agreed to

Washington, Jan 16 —Mr Windom submitted the following

Resolved, That with a view to the peaceful adjustment of all questions relating to suffrage, to the effectual enforcement of constitutional and national rights and the promotion of the best interests of the whole country by the elimination of sectionalism from our policies, a committee of seven senators be appointed by the chair and charged with the duty of inquiring as to the expediency and practicability of encouraging and promoting by all just and proper methods a partial migration of colored persons from those states and congressional districts where they are not allowed freely and peacefully to exercise and enjoy their constitutional rights as American citizens into such state as may desire to receive them, and will protect them in said rights or into such territory or territories of the United States as may be provided for their use and occupation, and if said committee shall deem such migration expedient and practicable that they report by bill or otherwise what in their judgment is the most effective method of accomplishing that object, and that said committee have leave to sit during the recess

Laid on the table for the present at the request of Mr Windom, and he gave notice that he would call it up soon and submit some remarks

Mr Dorsey submitted a resolution calling upon the secretary of the treasury for a statement of all appropriations and expenditures from the national treasury for the purpose of paying the expenses of the Indian department from July 1st, 1790, to June 30th, 1878 Agreed to

Washington, Jan 17 —Mr Saulsbury submitted a resolution calling upon the secretary of the treasury for information as to the amount of commission or other compensation paid bankers, brokers, syndicates or individuals for services in negotiating the sales of United States bonds or securities from 1862 to the present time , what amount has been paid to any such persons for services rendered in refunding any of the bonds of the United States, and also whether interest has been paid on called bonds and at same time paid on bonds sold to redeem such bonds, how much double interest has been paid on each class of bonds and how much money has been allowed to remain on deposit in national banks designated as depositories

Discussion arising the resolution was laid over

Credentials of Senator Houston, of Alabama, were presented

HOUSE

In response to a resolution the speaker submitted a communication from the secretary of the treasury transmitting a supplemental statement of balances on the loan account in coin standing to the treasurer of the United States on national bank depositories on the 1st of January, 1879 The aggregate amount of balances was $46,898,168 The larger amounts were in the First national bank of New York, $19,107,948, National bank of the state of New York, $7,155,054, bank of New York National banking association, $5,551,411, Maverick national bank, Boston, $4,842 999, National Bank of Commerce, New York, $2,217 928 Second national bank, New York, $1,512,526, Monument national bank, Boston, $1,085,-721 The remainder is distributed among thirty eight banks, in sums varying from three hundred dollars to nine thousand dollars

CAPITAL NOTES

Washington, Jan 15 —The democratic senators held a caucus this morning to consider their course on the resolutions recently submitted by Edmunds declaring the last three constitutional amendments duly satisfied and that the laws already enacted for their enforcement should be faithfully executed, etc After some discussion the subject was referred to a committee of seven headed by Thurman, to report to a future caucus A committee of three with Senator Morgan chairman was appointed to report what further action if any, should be taken to secure the repeal of both sections of the revised statutes which prescribe test oaths for jurors in United States courts

The house committee on banking to day authorized Representative Ewing to offer the following amendment to the bill now pending on the calendar of the house providing for the repeal of the resumption act

Provided, that money hereafter received *from any sale of bonds of the United States* shall be applied only to the redemption of other bonds bearing the highest rate of interest and subject to sale, and provided further, that whenever from time to time the proceeds of the sales of bonds shall aggregate three million dollars, the secretary of the treasury shall issue a call for that amount of bonds to be redeemed, and interest on bonds called for redemption shall cease in thirty days from date of such call, and provided further that all United States notes received in the treasury shall be reissued and kept in circulation without charge *in the aggregate amount of the several* denominations existing on the 31st of May, 1878 and it shall not be lawful to issue legal tender notes of a larger denomination than one thousand dollars The vote of the committee on the adoption of the amendment was as follows Ayes—Messrs Buckner Ewing, Yates, Hartsell and Fort—5 Nays—Messrs Hardenberg and Eames—2 Messrs Bell, Hart, Chittenden and Phillips were absent

At the meeting of the committee on ways and means to-day, Mr Gibson moved to reconsider the vote by which the committee on Monday last decided to recommend changes in the sugar tariff Lost Ayes, 5 , nays, 6

Washington, Jan 15 —Subscriptions to the four per cent bonds to day were $5,245 000

Washington, Jan 17 —The president has nominated Alex B Hagner, of Maryland, for associate justice of the supreme court of the District of Columbia

HOME NEWS

Special to the Press & Dakotaian

Cheyenne River Agency, Jan 15 —Last night the runners from the hostile camp held a council with the agent, at which council they talked very independent, saying it makes their hearts bad to see their friends here deprived of guns and horses Saturday they held council with the commandant of the post, Col Wood, at which council they were very meek , said that all they wanted was to come in and they would give up their guns and ponies They must do something soon as the buffalo are moving south and they have to follow them Ere this the entire hostile camp of not less than twenty-five thousand people are on American soil and working south The runners will wait here at Red Skirt's camp twelve days to hear from Washington

Special to the Press and Dakotaian

Sioux Falls, Jan 17 —Gov Howard's statement leaves out warrants redeemed in 1876 It should be corrected

Chicago, Jan 15 —The following was received here to day

Washington, D C , Jan 8 —*Thomas M Nichols, Esq, Secretary of Honest Money League, Chicago, Ills* —DEAR SIR —I have to acknowledge the receipt of your letter of the 4th inst enclosing a copy of the kindly resolution adopted at the meeting of honest money league on the 2nd instant, for which I return my grateful thanks Resumption, so long struggled for, and so eminently beneficial to all interests and classes, is now secure There are but two points incident to resumption about which I notice complaint First—the non-payment of interest on the public debt in gold coin at cities other than New York Second—criticism of the distribution of the silver dollar by this department

To maintain specie payments the coin must be kept in some central convenient depository, always accessible The law fixes New York as this place It is not reasonable while we promptly redeem our notes and pay the interest on the public debt in New York that complaint should be made because the coin is not scattered by being transported at the will of creditors at considerable cost, to other parts of the United States We must make no distinction between the payment of interest and the redemption of notes, but both should be paid at the same place and in the same way, or we again make the discrimination so much complained of between the noteholder and the bondholder I hope, after some preparation and lapse of time it may be convenient to exchange coin for notes and pay interest at all the depositories in the United States, and I will seek to bring about that result, not as a matter of legal duty but for the convenience of citizens

As to the other matter I have a clear conviction that the forced payment of the silver dollar to public creditors would tend to depreciate it and cause it at once to be sold in the market at less than par No friend of the silver dollar should desire it to be forced into circulation under such circumstances This would open a gap between the silver dollar and United State notes that would tend to bring it into discredit among our people, while it is plainly the policy of the law that it should be maintained at par with United States notes The department is now issuing the silver dollars, transporting them free of charge wherever needed, to all who wish them, in exchange for United States notes, or in payment for services, and it is to be hoped that the whole coinage may thus be put in circulation

While it is the duty of the government to coin different kinds of money as public policy dictates, it should be within the power of the citizen, at his option, to demand either form of lawful money It is hoped that the friends of resumption will be satisfied with the beneficent results already accomplished, and will give this department reasonable forbearance in the practical execution of its plans If so, those who have hitherto disagreed with us about resumption will join with us in applauding the policy now being maintained

Very respectfully yours,
JOHN SHERMAN

Helena, Jan 15 —The territorial legislature organized yesterday with Mitchell president of the council and Ford speaker of the house The governor in his message says that he has a proposition from a responsible party to take the entire bonded debt of the territory, seventy-four thousand dollars, now drawing ten per cent at six per cent free from taxation, or 8 per cent if taxed Owing to the insufficient congressional appropriation to pay the expenses of the legislature, a concurrent resolution was introduced in the house to adjourn on the 18th of January without day The resolution was made a special order for ten a m to day, Wednesday

Chicago, Jan 16 — A brutal murder was committed during last night in Brown's rolling mills, south Chicago Frank Donaghue, aged 26, rose in the night from the bed in which he was sleeping with his friend and fellow workman, Martin Houston, and taking a pocket knife, stabbed him some twenty times about the head When found, this morning, Houston was dead Donaghue, who is even now under the influence of liquor, admits the murder, and says there was no cause for it except his own condition, he having been almost delirious with drink for some weeks past

Kearney, Neb, Jan 16 —The trial of S D Richards, the self-confessed murderer of several persons, was held at Minden yesterday There were three indictments against him for the murder of six persons The charge on which he was tried was the murder of Peter Anderson on Dec 9th last He pleaded not guilty of murder in the first degree. His testimony was to the effect that having twice knocked Anderson down for giving him the lie and threatened to kill him unless the statement was retraced , that Anderson started for an axe when he, Richards, struck him on the head with a hammer and finished him The jury received the case in the afternoon, and returned a verdict of guilty after two hours deliberation, whereupon Judge Gaslin immediately pronounced sentence that he be hanged April 26th just the 101 days allowed by law The prisoner was apparently the happiest man in the court room Lynching is feared

Hartford, Con Jan 17 —The republican caucus nominated O H Platt for United States senator

TROOPS TO THE FRONT

Five Thousand Armed Men Wanted Immediately On the Sioux Reservation

Chicago Times

There seems to be a painful probability that the late Indian tragedy at Camp Robinson—of which The Times gave the country the news twenty-four hours in advance of any other paper—will lead to grave difficulties with the Indians at Red Cloud and Spotted Tail agencies The Cheyennes who attempted to escape from Camp Robinson had many kinsmen among the bands at the agencies, who will of course be deeply moved by the tragic fate of the fugitives The probability of a rebellion at the agencies is mentioned in the late telegrams Even a possibility of that sort should stir the military to the utmost activity and energy in *preparing to avert and suppress it* When it is remembered that the handful of savages lately imprisoned at Camp Robinson marched along without interruption across the state of Kansas and some hundreds of miles through Nebraska, devastating the country with fire and sword, only a few weeks ago the possible consequences of an outbreak at the agencies will appear positively appalling Among the fifteen thousand savages or more in the Red Cloud and Spotted Tail bands there are probably at least three or four thousand males of fighting age. They are amply supplied with horses and arms, and a dash of a hundred miles would bring them down to the heart of the Nebraska settlements Are the secretary of war and the general of the army making any preparations for the defense of the people against such a raid? The country will not accept again, in a similar case, the flimsy excuses which were made for the army's failure to intercept the Cheyennes before they murdered a hundred settlers, more or less, while traversing that state The officers have at command an army of twenty five thousand men Nowhere in the union is there, to day so much need for a considerable part of that force as on the line of the Union Pacific railroad, or north of it, between the agencies and the exposed farmers and villagers of northern and southern Nebraska At least five thousand soldiers should be concentrated in that district without delay, and if this is not done the department will be responsible for every life that may be lost and every outrage that may be committed by the agency savages It will not do to say that the number of men required for this service can not be spared There are railroads and other means of rapid transportation by which every man now east of the Missouri may be moved to the scene of danger in a few days, and for an emergency many of the men in western forts can be sent in the same direction without hazard The case is one in which instant and effective action is required, and if General Sherman proves himself unfit for the emergency he should be retired, to make room for a more ready and willing officer

Canton News The railroad reached Beloit and regular trains have been running since Jan 1st 1879 Those of us who have to purchase coal or wood can readily appreciate the immediate benefits to be derived by having railway facilities To day coal can be delivered right here for $5 50 per ton Two months ago it cost $11 We shall soon have market near home for all kinds of produce, and our farmers instead of being obliged to be from two to four days marketing a load of grain, can market one or two loads in one day

THE BEST OF ALL LINIMENTS FOR MAN OR BEAST.

When a medicine has infallibly done its work in millions of cases for more than a third of a century, when it has reached every part of the world, when numberless families everywhere consider it the only safe reliance in case of pain or accident, it is pretty safe to call such a medicine

THE BEST OF ITS KIND.

This is the case with the Mexican Mustang Liniment Every mail brings intelligence of a valuable horse saved, the agony of an awful scald or burn subdued, the horrors of rheumatism overcome and of a thousand-and-one other blessings and mercies performed by the old reliable Mexican Mustang Liniment

All forms of outward disease are speedily cured by the

MEXICAN
Mustang Liniment

It penetrates muscle, membrane and tissue to the very bone, banishing pain and curing disease with a power that never fails It is a medicine needed by everybody, from the *ranchero,* who rides his

MUSTANG

over the solitary plains to the merchant prince, and the woodcutter who splits his foot with the axe

It cures Rheumatism when all other applications fail

This wonderful

LINIMENT

speedily cures such ailments of the HUMAN FLESH as

Rheumatism Swellings Stiff Joints, Contracted Muscles, Burns and Scalds, Cuts, Bruises and Sprains, Poisonous Bites and Stings, Stiffness, Lameness, Old Sores, Ulcers Frostbites, Chilblains Sore Nipples, Caked Breast and indeed every form of external disease

It is the greatest remedy for the disorders and accidents to which the BRUTE CREATION are subject that has ever been known It cures

Sprains, Swinny, Stiff Joints Founder, Harness Sores, Hoof Diseases, Foot Rot, Screw Worm Scab, Hollow Horn, Scratches, Windgalls, Spavin, Farcy, Ringbone, Old Sores, Poll Evil, Film upon the Sight and every other ailment to which the occupants of the Stable and Stock Yard are liable.

A twenty five cent bottle of Mexican Mustang Liniment has often saved a valuable horse, a life on crutches, or years of torture

It heals without a Scar It goes to the very root of the matter, penetrating even the bone

It cures everybody, and disappoints no one It has been in steady use for more than twenty five years, and is positively

THE BEST OF ALL LINIMENTS FOR MAN OR BEAST.

HARDWARE.

Mammoth HARDWARE STORE
Wynn & Buckwalter
WHOLESALE
And Retail Dealers in
HARDWARE, STOVES AND TINWARE
Fence Wire
Carpenter's Tools
Wooden Ware
Clothes Wringers
Miners' Tools
BUCKEYE
MOWING AND REAPNIG
MACHINES
Plows and other Agricultural Implements
Shelf Hardware.
Of every Description
IN STOVES We have the best assortment and quality They cannot be surpassed in any description
Good, Strong and Substantial
TINWARE MANUFACTURED
Broadway, Yankton

NOTICE

U S LAND OFFICE
Yankton Dak Dec [illegible] 1878

Complaint having been entered at this office by Joseph Komp against [illegible] Nielsen for abandoning his homestead entry No 1741 dated June 19th 1875 upon the W ½ NE ¼ and E ½ NW ¼ section No 9 township No 93 north range No 57 west in Yankton County Dakota Territory with a view to the cancellation of said entry The said parties are hereby summoned to appear at this office on the 4th day of February 1879 at 10 o'clock a m to respond and furnish testimony concerning said alleged abandonment

G A WETTER Register
LOTT S BAYLESS Receiver
37-4w

NOTICE

U S LAND OFFICE
Yankton, Dak January [illegible] 1879

Complaint having been entered at this office by Edward Lamson against John Mitchell for abandoning his homestead entry No 1741 dated March 27th 1875 upon the [illegible] of sec section 20 and W ½ SW ¼ section 21 township No 95 north range No 56 west in Yankton county, Dakota Territory with a view to the cancellation of the entry The said parties are hereby summoned to appear at this office on the 5th day of February 1879 at 10 o'clock a m to respond and furnish testimony concerning said alleged abandonment

G A WETTER Register
LOTT S BAYLESS Receiver
n38-4w

NOTICE

U S LAND OFFICE
Yankton, Dak Dec 31 1878

Complaint having been entered at this office by Johann Komp against Hans Andresen for abandoning her Homestead Entry No 1730 dated April 15th 1878 upon the W ½ of the SE ¼ and [illegible] of SW ¼ sec 4 township No 93 north range No 57 west, in Yankton Co Dakota Territory, with a view to the cancellation of said entry The said parties are hereby summoned to appear at this office on the 4th day of February 1879 at 2 o'clock p m , to respond and furnish testimony concerning said alleged abandonment

G A WETTER Register
LOTT S BAYLESS Receiver
n37-4w

PROBATE NOTICE.

In the probate court of the county of Yankton territory of Dakota.

In the matter of the estate of CHARLES G BROWNE Deceased. Notice for posting of application for letters of administration

NOTICE is hereby given that William Ward has filed in this court his petition, praying for letters of administration of the estate of Charles G Browne deceased and that Saturday the eighteenth day of January, A D 1879 at ten o'clock a m of said day, at the court room of said court in the city of Yankton in the county of Yankton D T has been set for hearing said petition when and where any person interested may appear and show cause why the said petition should not be granted

Dated December 28th, 1878
L CONGLETON Probate Judge
37-3w

Press and Dakotaian

—ESTABLISHED 1861—

WEEKLY EDITION

Subscription Price, . $2 per year

ADDRESS

BOWEN & KINGSBURY

YANKTON, - - DAKOTA.

Thursday, January 23, 1879.

The testimony of Lieutenant Wallace in the Reno trial, is entirely favorable to the accused

The bill granting arrearages on pensions has passed both houses of congress, but it is said that the president will veto it. The belief is that it can be passed over his veto.

The Chicago Times states that Dr McGillicuddy has been appointed agent at Red Cloud agency in place of Dr Irwin, resigned The doctor has been military surgeon in the upper country for some time

Keyes, Carpenter and Howe are running close together in the Wisconsin legislative republican caucus the thirteenth ballot giving them thirty, twenty-five and twenty five respectively, with eight scattering votes It takes forty five to nominate and the way the friends of each candidate stick to their man indicate that a dark horse will carry off the honors

The managers of the Reno trial have final ly succumbed to the newspaper reporters and now permit them to take notes openly instead of inside their hats It was found that the scribes were securing all that was important, even under the regulation prohibiting them from "writing down anything" and the court graciously modified its order

Saturday night s Chicago papers contain notice of the confirmation of Secretary Hand for his second term of office Dakota men are getting to be of some consequence at the official manufactory Mr Hand's appointment produced such a general feeling of satisfaction that we feel able to state positively that this later action will be well received in all portions of the territory

A Washington correspondent shows how if Corbin is admitted, the republicans will have control of the senate again in 1881 "On the 4th of March the senate will stand, 42 democrats, 33 republicans, and Davis, of Illinois, independent Suppose Butler's seat given to Corbin, it would make the senate stand, 41 democrats, 34 republicans, and 1 independent The democrats would then have 6 majority The terms of Bruce, of Mississippi, Randolph, of New Jersey, Eaton, of Connecticut, Wallace, of Pennsylvania, Kernan, of New York, and Thurman of Ohio, will expire in 1881 One of these is republican and five are democrats The states which will elect senators to succeed these five democrats were carried by the republicans at the last election, and are likely to remain republican in 1880, when the legislatures are to be chosen which will fill the vacancies that will occur in the senate in 1881 The democrats are sure of only one seat out of six The republicans, if they hold the five states named, which they are likely to do, will return five republicans to succeed the five democrats Then the senate would stand, 38 democrats, 37 republicans and 1 independent If Corbin gets Butler's seat, it would make the senate a tie, even if Davis should cast his lot with the democrats, and, in the event of the election of a republican vice president to succeed Wheeler, that party would again assume control of the senate in 1881 "

Mr Rea, assisted by the St Paul Pioneer-Press, is still pursuing the victims of Gen Hammond with a vindictiveness which is equalled only by that of his chief He publishes a list of alleged false vouchers which he says will not be brought to trial, because they are outlawed Mr Rea has no means of knowing that these are alleged vouchers, except upon such unreliable information as is furnished him by those who are paying him for his dirty work The Bismarck Tribune gives the measure of the young man pretty correctly in the following item

That young and frisky correspondent, Mr John A Rea, who signs himself "Mandan," in the St Paul Pioneer Press, took occasion to do up the Brooks homicide for his paper in a most heartless and unfeeling way. Mr Rea has much to learn in journalism, and one of his earliest lessons is to look upon death with deference, and guage a man's misfortunes by their value as an item

His chief characteristic, his ability to lose sight of the truth for the sake of furnishing a news item was recognized by us some time ago To bolster up the waning cause of Gen Hammond, Mr Rea telegraphs from Bismarck that the government actions against Dr Livingston have been postponed unt l next spring, "upon the affidavit of the counsel for the defendant" He gives this upon the assumed authority of Judge West, of Yankton We do not believe Mr Rea ever received any such information from Judge West, because the judge is a man of truth, and he knows that Dr. Livingston's counsel declined point blank to make any affidavits for a postponement of the trial They were ready for it and anxious that it should go ahead If the Pioneer-Press will take pains to go back of the returns of its correspondent, it will find more crookedness there than in the "Indian Ring"

Ever since the so called reformatory work of Messrs Schurz, Hayt and Hammond was begun in the Sioux country there have been numerous symptoms of uneasiness among the various bands of that tribe and at times loud rumors of impending outbreaks have come across the border While all of these reports were greatly exaggerated from the basis of facts not alarming in ordinary times, the inference to be drawn from their frequency is that the Indian mind was in a disturbed condition Various were the causes which brought this about not the least of which was the sweeping changes made among agents, traders and employes and the substitution of men entirely unacquainted with the manner of managing Indians To this was added the unsettled state of affairs at the Spotted Tail and Red Cloud agencies, engendered by the promise of the president that they should move back into the interior and augmented by the unceasing disturbing efforts of the emmissaries of speculators, who wanted them moved beyond the reach of interference with their money making schemes They were finally moved, but are not yet permanently settled in their new homes Now comes the sanguinary fate of a large number of Cheyenne prisoners at Fort Robinson to augment the uneasiness which has not been quiet in the Sioux country since last spring The effect is that old apprehensions are aroused and many imagine that we are on the eve of a general Indian war The reported approach of Sitting Bull's clans from the north renders the situation even more alarming than it would be were none but agency Indians suspected of hostile designs We have yet seen nothing beyond wild and untraceable rumors to indicate the pendency of an out break, and as such rumors will at times arise wherever wild Indians are congregated, any opinion upon the present emergency would just now be premature The probability is that matters will settle down in a short time and that the Indians will conclude that they cannot afford to sacrifice an easy subsistence for the sake of a little revenge.

MALICIOUS MISREPRESENTATIONS.

It is not because we have any respect for their author, or that we wish to advance the cause of petty malice, that we publish the following items, but it is more for the purpose of placing them before that portion of the public to whom they are directed—namely, the legislature of the territory of Dakota—that we give them They are clipped from Dr Burdick's paper, the Vermillion Republican, and read as follows

ITEM NUMBER ONE

Two years ago by some action of the assembly of this territory, which nobody seems to know anything about, the Press & Dakotaian got $5,000 for printing the new code We suppose this money came out of the territory, as the P & D had, before the session of the legislature was half through, used up all the government appropriation for legislative printing There are many things about that little transaction which ought to be ventilated Five thousand dollars is a pretty big sum for printing such a lot of cheap flimsy books as were gotten up by the P. & D We have been informed that the Omaha Herald offered to do the same work for $1,500 Again the P & D has been selling these books for six dollars apiece after being paid $5,000 for printing them Will our assembly look up that piece of business? The matter has given rise to a good deal of speculation, and the more there is found out about it the more crooked it looks

ITEM NUMBER TWO

As a supplement to what we have to say on our editorial page relative to investigating the dealings of the P & D with our public treasury, the following figures may be interesting During the years of 1874 and 1875 Bowen & Kingsbury received from the government, for printing, $3,640 -53, and in 1776 and '77, $1 542 32 Now, how much in addition to this did they get out of our territorial treasury during these years? Did the territory pay them for work which the government paid them for doing? It may be interesting for tax payers to know this among other things

These are the charges which the Vermillion Republican puts forth against the publishers of the Press and Dakotaian The figures given in the last item indicate that it is assisted in its iniquitous designs by its man in Washington, though the errors he commits on so easy a subject show that he is not strictly reliable in all instances That the charges were instigated by the malice of those whose ambitious schemes for office have been thwarted through the preferences of the people, and by those who, possibly, have reason to believe that the Press and Dakotaian chose to aid the cause of the people, rather than the cause of individuals, we prefer to have understood in the outset Disappointed hopes frequently impel men to utter unfounded and extravagant assertions, and so grievous a disappointment as the one which has recently befallen the disturbers of our party's interests—men, we mean, so black at heart that treason to their political comrades leaves their consciences undisturbed—is liable to carry with it a malevolence which can only be assuaged by an outburst of vindictive hate such as has emanated from the pen of the character defamer, who edits the Vermillion Republican

Should the members of the legislature deem it a portion of their duty, under the charges presented, to institute an investigation of this matter, we are ready to afford them every facility within our control to render it effective and conclusive in its results There is absolutely nothing to prevent a clean showing of all these transactions

THE TREASURER TO THE GOVERNOR

Mr Sherman Publishes His Explanation of Territorial Financial Matters

Sioux Falls Independent

SIOUX FALLS, Jan 17, 1879

To the Public

In the financial statement submitted to the public in the message of Gov Howard to the legislature, I am made to appear as being short in my accounts as treasurer of this territory of a sum bordering on $9 000 I have only to clear myself of this charge by calling the attention of the public to the governor's statement itself which shows on the face of it where the error lies

He gives the statement as made by the auditor as follows

Amount of warrants issued in 1877 and 1878 term	$48 453 93
Amount of warrants redeemed by treasurer and on file with auditor	29,140 87
Of these there were of the issue of 1874	$ 167 33
Of the year of 1875	1 770 14
Of the year of 1876	9 707 32
Of the year of 1877	16 263 79
Of the year of 1878	1 232 99
	$29 148 87

These figures are taken from the auditor's report and are doubtless correct But the governor goes on to say that deducting the amount of 1874 and 1875 warrants paid, $1,937 77, from the total amount of warrants paid by treasurer, $29,140 87, it would leave $27,203 10 applicable, as he states to the payment of 1877 and 1878 warrants, leaving entirely out of his deductions the amount of 1876 warrants paid as shown above to amount $9,707 32

He then states the amount outstanding should be $15,180 30, instead of the amount outstanding registered warrants as shown by treasurer, to wit $23,233 47 The governor attempts to account for this alleged deficiency on my part by stating that I have taken to myself credit the sum of $3,049 89, paid for interest, and have reported warrants paid on file in my office $2,463 08 and warrants notified for payment, $3,637 50, making warrants to the amount of $6,100 58 that I have taken credit for from money received and then charged them as outstanding warrants

I am at loss to imagine how the governor would have accounted for my alleged deficiency if these three amounts that he claims me to have taken credit for hadn't by chance footed up to nearly the amount that the governor, by his blunder, had left out The payment of $3,049 89 interest was just, and should have been taken from amount of money received, as I have done This amount of interest, $3 049 89, with the amount of warrants that I had paid and on file in my office $2,463 08 and the amount of warrants notified for payment, money set apart for that purpose, $3,637 50, together with the amount of warrants paid and on file with auditor as shown by his report, to wit $29,140 87, and cash balance reported to go to make up and account for the $38 805 55, collected I reported the amount of outstanding registered warrants, exclusive of those notified for payment, as $23 233 47 as shown by warrant register, and if the governor had but compared this statement with the auditor's report he would have seen the correctness of it

Auditor reports warrants issued in 1877 and 1878	$48 483 93
Amount of 1877 and 1878 warrants redeemed	17,495 78
Amount of warrants outstanding as shown by auditor	30 988 20
Deducting amount on file with treasurer and notified	6 100 58
Actual amount of outstanding warrants issued	24 887 62
Amount of registered outstanding warrants	23 233 47
Leaving a balance of	$1 651 15

Which shows the amount of warrants issued that have not been presented to treasurer for registration

The public will see, I trust, where the error lies The governor, by the publication of this unfortunate blunder on his part, has done me an irreparable injury I am willing to bear the responsibility of any error in my own accounts, if any exist, and invite a full examination by the proper authorities It is a bitter experience, however, to be made to suffer as I have done, for the unpardonable mistakes of others The governor cannot claim any excuse from the incompleteness of my report, as his error is in deductions made from the auditor's report My statement to him Dec 11, was a summary account of receipts, expenditures, and outstanding indebtedness, and my detailed report was made up at his suggestion received Dec 27, for the purpose as stated in his letter, of being presented to the legislature for their examination It was mailed at this office the 10th inst., in ample time, as I supposed, for the purpose for which it was asked I had hoped ere this to receive some acknowledgement, by a public corrected statement from the governor, in answer to my letters and telegrams, but up to this hour it has not come to hand, and I feel called upon therefore to speak in my own defense E A SHERMAN

The balloting in the Wisconsin republican legislative caucus was going on at last accounts, with the three leading candidates, Carpenter, Keyes and Howe, in about the same positions on the forty-eighth ballot that they were on the first It seems to be a dead lock and the friends of each stand firm

A NEW JUDICIAL DISTRICT

The Objections to the Bill by Sioux Valley People

Sioux Falls Pantagraph

A bill has been prepared at Yankton and introduced in both houses of congress, providing that the counties of the Sioux valley should be organized into the fourth judicial district of Dakota The bill, however, further provides that legal business of the district, triable in a United States court, shall be taken to Yankton for adjudication, instead of being tried in the district in which it originates The reason urged for this latter feature, is that the expense of one court, *with its jurors, officers and other accessories*, would be saved by taking the United States business from this district to Yankton This reason, however, is more than offset by a further consideration of the facts In the first place, the duties and therefore the expense of the court at Yankton would of course be larger with the business from this section than it would be without it The per diem of the jurors and all the officers of the court would therefore be no more by having the business done at Sioux Falls, say, than it would having it done at Yankton The question of expense, for the time consumed by litigation arising in the new district, may therefore be said to be very nearly equal, so far as a large portion of the machinery of the court is concerned, whether a new United States court be organized or not So far as the mileage of the jurors is concerned, probably half of these would be selected from the Sioux valley district, and the increased distance they would have to travel to reach Yankton would make the amount paid for transportation with only one court, almost as much as would be required for two, because the double distance which one half the jurors would have to travel to Yankton in one case would amount to as much for mileage as would have to be paid for a full jury in the other Therefore, the question of mileage for two juries instead of for one may be said to be taken out of the account

The points so far made then, take the matters of fees and mileage of jurors and others out of the account, by showing that they would be much the same with one court as with two, and this leaves the merits of the case to hinge upon the advantages which the new district would secure by having a court of its own, instead of being obliged to take its business outside the district in which it originates It is very evident that the expense of litigants would be much increased by the longer time and longer travel which would be entailed by the trial of their cases at Yankton instead of Sioux Falls The latter point can of course be much more readily reached by residents of the Sioux valley To require litigants to pay the expenses of a journey for themselves and their witnesses to Yankton would work a hardship and an injustice for which there is no sufficient excuse The increased mileage and the longer time parties would be kept from their homes and their business more than offset any consideration of what would be actually saved in operating only one court instead of two The people of the Sioux valley therefore feel that it would not be treating them right to give the proposed law a feature for which there is neither precedent nor justification of any kind by creating a tribunal for them which shall be shorn of powers that pertain to such tribunals elsewhere and are therefore preparing remonstrances asking congress to provide them with a United States court in their own district, in case such district is created

ADVICE TO ARMY OFFICERS

Some Views of Gen Schofield

A general meeting of the military service institute of the United States was held at Governor's island New York on Saturday last, at which the following officers for the ensuing year were elected President, Maj Gen W S Hancock vice presidents, Cols George W Getty, David S Stanley, Z B Tower, James B Fry and Wesley Merritt, corresponding secretary Col T F Rodenbough, recording secretary, Maj G N Lieber treasurer, Col Nathan W Brown, vice treasurer, Capt Joseph P Sanger Col Wherry read a paper prepared by Maj Gen John M Schofield, superintendent and commandant of the military academy on "The Scope and Objects of the Institution, and its Probable Value to the Service"

The duties of a military officer the general said, were becoming year by year more complex and more difficult to perform The art of war had already approached the margin of the exact sciences, and the elements of the problems which war presented for solution were vastly more complex and difficult of exact measurement than those with which any other branch of science had to deal It was not now sufficient that a high officer of the army should be a good military engineer a good tactician, a good quartermaster and commissary, a good commander of a battery, of a squadron, of a battalion, or a good adjutant general He should have knowledge of all these, while being master of his own special branch of the service It was thought this institution, akin to numerous other scientific associations of this and other countries, that the fruits of the study, researches, and thought of each members were to be made the acquired knowledge of all Moreover, military students must study the history of military contests and endeavor therefrom to learn the facts In this connection the general remarked that this and the coming generation was and would be very favored in having vastly more comprehensive, and upon the whole, far more accurate histories of recent wars than had ever before been enjoyed by military students

In the study of military history he held that one central thought should be the constant guide That was to ascertain what influence each of the ascertained conditions exercised in producing the known result A most common and fatal error was the inference that success proved the wisdom of all the means employed to secure it, or that future condemned all these means It had also often been remarked that success was the only criterion of generalship This doubtless was true in popular estimation, but it was not true in fact, and should not be accepted as true by military students The writer would not attempt to enumerate the great variety of special subjects of military study, but what he would impress upon his hearers was the necessity that every commander within his sphere, be it great or small, should have such knowledge of every one of such subjects as would enable him to understand the appropriate relations of all branches of the service to each other, to estimate properly the use of each, and to measure with accuracy what each arm or department was able to accomplish, and in what periods of time given quantities of work could be performed These were among the most important elements of any military problem, yet they were among the most neglected The importance of time could not be overestimated, yet it might be, and often was estimated enormously There was as much danger of a misapplication of the principal in one direction as in the other Too great haste was nearly as great a fault as too little, and sometimes might be far more dangerous The general who underestimated the time required for a division to reach the place assigned it on the field of battle, or who exhausted his troops by excessive marches and privations before the crisis of battle arrived, himself defeated that part of his army before the battle began "Far better," said the speaker, "the certainty that an army would be in the best possible condition to defeat the enemy whenever they might meet than the most superhuman energy to capture that enemy before he was defeated" He was talking to commanders, whose business it was to obey and execute They all knew well enough how to do the latter, the object of their studies was to excel in the former Blind obedience, courage, and even discipline, however great, could no longer be relied upon to gain victories

There was another point to which the speaker called special attention, and which, he said, experience showed had been more neglected than any other of equal importance History was full of examples where vast masses of men, miscalled armies, and vast military resources had been thrown away and wasted through sheer mismanagement and want of economy By that word he did not mean mere economy of money, or of material resources, nor of time alone, nor yet of the lives and strength of the men, but of all these combined—economy of military strength, of the power which the nation had willed should be used in the defense of its interests and its honor The moral effect of results upon troops must, he said, never be overlooked These should never be given reason to believe that their commander had been defeated They should see that all events, even including apparent reverses, had been anticipated and provided for Their movements were then to them only a part of the general plan, and they were as full of heart and courage on the morrow as they were on the day before This subject the witness believed to be more important in our country than in any other, for the reason that our standing army is very small, our organized and disciplined militia not much larger, and hence, that our main reliance would be upon an army organized from the raw material after war had become imminent, or even after hostilities had actually commenced Our own military history afforded some splendid examples of the skillful handling of large armies, both on the offensive and on the defensive, during long and bloody campaigns These were worthy of the most careful study, and they would show that there was practically no limit to the spirit, endurance, and cheerful sacrifice of the American soldier so long as he was inspired with reasonable confidence in his commander's ability to make these sacrifices fruitful of good results—so long as he believed he was contributing something toward final success

A REVEREND BULLDOSER

The Peculiar Manner in Which a Valley Springs Pastor Disciplined His Wife

Sioux Falls Pantagraph

For a considerable time it has been known to several persons here, that Rev J A Palmer, pastor of the Congregational church at Valley Springs, this county, was a man unfit for the position which he occupied, and the conduct of which he has been guilty has culminated in his being severed from the church, and being set adrift by his congregation Recently Rev Stewart Sheldon, Congregational missionary for Dakota, together with the missionary for Minnesota, visited Valley Springs to investigate certain reports alleging Palmer's persistent abuse of his wife It had been disclosed, chiefly through the reports of a son of Palmer's, that matters in the household were becoming worse than ever—that Mrs Palmer was frequently forced into a room and locked up for a long time, and that broomsticks were sometimes used for other purposes than those for which they were originally intended The two missionaries interviewed Palmer, and he admitted that he had at times taken measures with his wife which husbands did not ordinarily adopt, but urged as a reason therefor the statement that she is afflicted with freaks of insanity during which she has to be forcibly controlled Mrs. Palmer was then interviewed, and she told stories of her liege's abuse of herself and children, remarking that he would make a fair sort of a husband were it not for the fact that he sometimes went crazy Here then were mutual charges of insanity, by husband and wife, for the missionaries to adjudicate They found, however, by a comparison of Palmer's own statements, that he had something different from what he ought to be, to put it mild, and they therefore suspended him from his ministerial office, and subsequently his congregation repudiated the pastoral relation which has existed

Mr Palmer some years ago was pastor of the Sioux Falls and Canton charge, but he was such a weak stick, either in the pulpit or out of it, and attained such an unpleasant reputation, that he was finally worked off, after which he went to Sheldon, Iowa His career there was not calculated to build up the heavenly kingdom, and he was therefore set adrift, but moored directly at Valley Springs where the cut of his jib became so conspicuous that he had to be dealt with as recorded

MAJ RENO'S CASE.

Continuation of Lieutenant Wallace's Testimony Before the Court

Chicago, Jan 16—The Reno court of inquiry to day decided that reporters might take notes

Lieut Wallace was cross examined by Maj Reno's council, Mr Gilbert The testimony was only a development of that given yesterday He related how, after the division of Custer's command, Col Benteen went to the left, Maj Reno crossed the stream and Gen Custer remained on the right bank, how the two latter detachments formed a junction by Reno recrossing about twelve miles below, and how finally the battle was fought Some of Maj Reno's command had never ridden a horse until this campaign The only ammunition in the hands of Reno's force was the supply at their saddles It was used up in half an hour In his opinion it was a wise act of Maj Reno to retreat and to have remained would have imperilled the lives of the whole body Maj. Reno's conduct was brave and praiseworthy During the retreat twenty five men were killed and seventeen wounded, and the time consumed was about an hour When we arrived on the top of the hill Benteen's force came, but the pack train was three miles to the rear Reno showed no signs of fear at this time, but was conspicuously brave and fearless No communication had been received from Custer, but a trumpeter stated that he had gone back The ammunition was distributed, and company D first met the Indians, seven thousand strong, in a ravine of fine advantages where the men were properly posted by Reno. He had about 280 men under his command at that time Bullets came like hail until dark, about three hours, when fortifications were thrown up Firing recommenced about 3 a m on the 26th, and continued until 10 o'clock, when it slackened There were probably 9,000 Indian warriors in the village that evening, it being two and a half or three miles long They first knew of Custer's fate on the 27th The line of battle was perfectly evident from the dead horses and corpses The position was not well chosen for defense Around Custer was *a whole pile of men* There had apparently been an attempt to escape The fight probably did not last over an hour Custer had 325 men when he separated from Reno

The court decided this afternoon that it will not investigate the conduct of Benteen, whose name has been associated with that of Reno's in this matter

Adjourned

INDIAN INTELLIGENCE

The Cheyennes Seem to Be Well Out of the Way—Official Report of the Ft. Robinson Affair

Chicago, Jan 16—The officer sent from Omaha by Gen Crook to investigate the recent Cheyenne outbreak has made an official report He says Upon the 3d instant the chiefs were notified that the Washington authorities had decided that they must return south They consulted their people and the next day Hog gave an unequivocal refusal, saying they would die first An attempt to starve and freeze them out was the last alternative On the 9th Hog was arrested as the leading oppositionist and ironed after stabbing a soldier in the struggle The prison where the remainder of the Indians were confined was by them barricaded and the windows dropped to conceal their movements It became dangerous for a white man to go inside the door as the Indians had knives and would use them It was not known that they had guns, but on the night of the 9th they fired four shots, killing two of the sentries and made a rush through all the windows with the intention *of killing or being killed* The guard and others pursued and in the firing which was now going on several women and children who were going in the crowd with the men were unintentionally killed, though many officers bravely tried to save them

All the men refused to surrender and when exhausted stood at bay Several soldiers were killed in trying to capture them None were killed who could be taken They had concealed their arms under the prison floors They had fifteen guns and a few revolvers and many knives A desperate outbreak had doubtless been premeditated The squaws say the men feared hanging if they returned to the south, and that in this affair they all expected to die Casualties to date are Soldiers killed, 5, wounded, 7 Indians captured, 71, killed, 32

A company resumed the trail to day, January 15

Col Schuyler, the officer who makes this report, having thus intimated that the Indians had concealed arms, it is probable an investigation will be made into the manner in which they received them Press dispatches have mentioned the fact that the Red Cloud Indians visited the prisoners, a fact which is not stated in the official report

Fort Robinson, Neb, Jan 16—Yesterday at noon Capt Lawson, commanding company E, Third cavalry, started in pursuit of the fleeing savages who are said to be making a detour in the direction of Pine Ridge, on the Rosebud, an Indian camp, and the prospects of reaching the wigwams of their sympathizing red brethren are greatly in their favor despite the sanguine hopes of the military to capture them ere they can reach there The savages have good thirty hours start of the troops and should they succeed in stealing enough horses to mount them with, it is not impossible their escape is certain The prevalent impression here is that we are near the eve of a bloody Indian war Capt Wessell started with his company this morning

AFTER THE CHEYENNES

Fort Robinson, Jan 15—To day Gen Crook sent positive orders that pursuit of the Cheyennes be continued, and company C, Capt Lawson commanding, left for the front To morrow company G, Capt Wessells commanding, will go forward to join the forces and under command of the last named officer the pursuit will be resumed The troops will be supplied with six days' rations

A PROBABLE SIOUX WAR

Red Cloud's Indians Have the Heart, and Spotted Tail's Braves Expected to Follow Suit—The Ft Robinson Affair and Capt Schuyler's Report Thereon

THE ESCAPED CHEYENNES

Fort Robinson, Neb, Jan 16—Yesterday at noon Capt. Lawson, commanding company E, 3d cavalry, started in pursuit of the fleeing savages, who are said to be making a detour in the direction of Pine Ridge, or Rosebud Indian camp, and the prospects of reaching the wig-wams of their sympathizing red brethren are greatly in their favor, despite the sanguine hopes of the military to capture them ere they can reach there The savages have a good thirty-hours' start of the troops, and should they succeed in stealing enough horses to mount themselves with, which is not improbable, their escape is certain, and will be the means of getting the young warriors of the powerful Sioux nation to dig up the hatchet and avenge their wrongs

The prevalent impression here is that we are on the eve of a bloody Indian war The mail carrier just in from Pine Ridge agency, Red Cloud's new location, states that since the news of the Cheyenne outbreak and its result have become known to Red Cloud's people there is much weeping and wailing among them, and they say their hearts are bad Capt Wessells started with his company this morning at 4 p m for Indian creek and will take up the trail

LOOKING AFTER HORSES

Fort Laramie, Wyoming, Jan 16—Capt Johnson's command camped to night at Silver springs, forty miles north of here, on the old Deadwood stage road, reported that Cheyennes were seen last night six miles from Bluff station, on the Cheyenne and Deadwood stage road about thirty miles northwest of Red Cloud, they were evidently making for the station to secure a herd of horses there belonging to the stage company

NOTES FROM THE CAPITAL

Washington, Jan 16—An officer of the army who has had long experience with the Indians of the northwest, now temporarily in this city says that in his judgment there is serious danger of the Cheyennes, now in Indian territory, breaking away in the spring and making their way across Kansas and Nebraska to the northwest hunting grounds The Cheyennes, he says, are the finest Indians physically now alive The men are brave, strong and desperate fighters, and the women are chaste The Cheyenne warriors did the most of the fighting during the late Sioux war, and at the massacre of Custer it was the Cheyenne bucks that played the most havoc in this disastrous campaign The Cheyenne warriors now in Indian territory, are desperate They say they cannot and will not stay there It is death anyhow, and they might as well be killed fighting in the field as die like dogs in their present imprisonment, for that is all it is There are about two thousand Cheyenne bucks who are determined to break away There are but two courses to pursue with them They must either be disarmed, and then all their ponies taken away and a sufficiently strong force placed about them, or else they must be taken back to the northwest and allowed to affiliate with the Sioux If the latter course is pursued it will be less difficult and less expensive to maintain control of them than if they are retained in Indian territory The plan of the officer above referred to is to gather all the Sioux and Cheyennes in the northwest and draw a cordon of troops about them, and let the responsibility for their management be turned over to the military

THE INDIAN COMMISSION

In this connection it may be stated that the Indian commission appointed by the senate and house at the last session is equally divided on the question of transferring the Indians to the war department It is thought, however, that a majority of the commission will favor the transfer of the Sioux and Cheyennes to the military

THE FORT ROBINSON MASSACRE

In regard to the Cheyennes confined at Fort Robinson, Dr McGillicuddy, who has been appointed Indian agent at Red Cloud agency, vice Irwin, who has resigned, says that when the Indians were informed that they would be taken to Leavenworth they said they would die first, and then the officers in command tried to freeze and starve them into submission Wood was first refused This had no effect upon them The squaws and children were freezing, and the officers offered to let them come to the fires, but the Indians would not suffer them to go The squaws would not leave their bucks, and said they preferred to die with them Then followed the flight and the subsequent bloody result

Gen Crook thought proper to despatch an officer from Omaha to Camp Robinson to inquire into the recent Cheyenne outbreak and report the facts for the information of the higher military authorities Capt W S Schuyler, aid-de-camp to Gen Crook, was the man selected to make the investigation, and he left Omaha a few days ago to carry out his instructions He could not have given very much time to an investigation, for his report bearing date of Wednesday, Jan 14, was telegraphed to Gen Sheridan on yesterday, as follows

Omaha, Neb, 15—Lieut Gen P H Sheridan, Chicago, Ill The following just received from Fort Robinson, Neb, Jan 15 Gen Geo Crook, Omaha, Neb Upon a full investigation of the recent Cheyenne troubles here, I find the facts are as follows On the 3d inst the head men were notified by Capt Wessells that the authorities in Washington had decided that they must go back south Without giving a decisive answer, they retired to consult with their people On the next day, Hog as spokesman, gave an equivocal negative, saying, as had the others on numerous occasions, that they were resolved to die first A few having been examined and professed a willingness to go were allowed to return to the prison for their effects, but were forcibly detained by the others The attempt to starve and freeze them out was now the only alternative On the 9th inst it was decided to arrest Hog as the leading oppositionist He having been with difficulty induced to come out, was ironed, but after a struggle in which a soldier was stabbed The Indians in the prison knowing of this, immediately barricaded the doors and covered the windows with cloth to conceal their movements, tearing up the floor and constructing rifle pits to command all the windows From this time the prison was like a den of rattlesnakes, and any white man who had shown his head in the room would have met certain death It was supposed, of course, that the Indians had no arms other than a few knives During the evening the building was as quiet as a grave, and the six sentinels who surrounded it *suspected no danger* At ten minutes before 10 four shots were fired from the west end of the prison, killing two of the sentinels Shots were also fired from a front window into the guard-room, wounding a corporal Simultaneously a rush was made through all the windows, the Indians sallying out resolved to kill and be killed like Malays running a muck The guard and other troops gave chase The Indians moved south toward the creek, the squaws being driven in a mass ahead of the men, at least five of the latter keeping up an incessant fire It was in returning this fire that several women and children were killed No woman or child was intentionally harmed, and, in fact, many officers and soldiers showed great daring in trying to save them To take the men prisoners was impossible, as they all refused to surrender, and when exhausted stood at bay Several soldiers lost their lives in trying to capture such men No Indian was killed who could have been captured When these Cheyennes were first captured they were but partially disarmed, and several guns and pistols were taken from them after they had entered the prison, they having ample time to conceal arms under the floor, that place of deposit not being searched The prison has been so guarded that the theory of arms having been introduced subsequently to their incarceration is scarcely tenable, yet events proved that they had at least 15 guns in addition to the two obtained from the dead sentinels, and some few revolvers, and were well supplied with knives There are many proofs that a desperate outbreak was long premeditated The squaws say that they feared hanging if they returned south, and that in this affair all expected to die from the time their removal was decided upon They were in such a frame of mind that were the movement to be attempted in any way it would simply be a question as to who should be killed—white man or Indian

Casualties to date Soldiers killed, 5, wounded, 7 Indians captured, 71, killed, 32

A company resumed the trail to day, another will start to morrow Please acknowledge receipt

W S SCHUYLER, Aid de Camp

GEORGE CROOK, Brigadier General

Gen Sheridan, while declining to express any opinion, evidently thinks that the escape of the Cheyennes ought to have been prevented, though he refrains from attaching blameful responsibility to anyone The general believes that the Red Cloud Indians who were permitted to visit the imprisoned Cheyennes at Robinson informed the latter where they could get guns and ammunition cached near the camp This theory, however, was expressed before Capt Schuyler's report was received

LATER INTELLIGENCE

Fort Robinson, Neb, Jan 17—A courier has just arrived from the scene of hostilities, five miles distant from the position held by the Cheyennes at the last writing, with information to the effect that the savages had assumed the most inaccessible position of any of the many from which they recently stood troops at bay He also states that a party of five soldiers who were detached from the command for the purpose of ascertaining the position held by the Indians, while engaged in that duty, unexpectedly found themselves within short rifle range of half a score of Indians The latter discharged a volley at the squad, killing private Barber, of company H, of the Third cavalry, gaining possession of his carbine, pistols and ammunition The comrades of Barber, although exposed to the fire of the Indians, used desperate efforts to prevent the Indians from obtaining either his remains or equipments, but without avail Capt Wessells believes the Indians cannot be dislodged from their present position without the sacrifice of a greater number of lives than he deems advisable and has in consequence dispatched Lieut Dodd of the Third cavalry to Red Cloud agency with a view to obtain the assistance of a dozen Sioux scouts, well versed in the Indian mode of warfare usually adopted by Indians

Cheyenne, Jan 17—Agent Irwin of Red Cloud arrived to night to learn the particulars of the late events He reports the excitement at Pine Ridge agency intense

INDIAN ALLIES SOLICITED

Fort Robinson, Jan 18—A conference was held here this morning between Chief Red Cloud and Lieut Schuyler, of Gen Crook's staff, regarding the propriety of Lieut Dodd of the Third cavalry going to Red Cloud's new location, for the purpose of enlisting the services of some Sioux warriors to be employed as scouts in the expedition against the brave little band of Cheyennes now corralled at Crow ridge, thirty miles distant Lieut Schuyler asked Red Cloud if he thought Lieut Dodd could succeed in obtaining the services of fifteen of his warriors The old chief, in a very grave tone of voice, and without raising his eyes from the ground, said "My people are sad at heart since their brothers were killed here some moons ago They are very angry with the whites and I am nearly certain will not assist them

Lieut Schuyler, in a few words as possible, gave him an account of the Cheyenne outbreak, how the Cheyennes fired upon the soldiers in fleeing from the prison room In trying to prevent the Cheyenne braves from escaping the squaws were accidentally killed Lieut Schuyler finally got the old chief to say Young chief (Lieut Dodd) can go to my camp and tell my son in law, Young Man-Afraid of His Horses, that it is my wish he would try and get some of my warriors to help the government in capturing the Cheyennes

Lieut Dodd, who is well known to Red Cloud's braves, started immediately for Pine Ridge agency on his mission, with what success we will soon learn

It is believed that Captain Johnson's command joined Wessells' at the scene of hostilities some time during the night of the 17th There has been nothing heard from either commands since yesterday morning Important news is expected hourly

Cheyenne, Jan 18—Companies A, B, D, F, I and M, of the Fifth cavalry, having been ordered to take the field in search of Little Wolf's band of Cheyennes, believed to be depredating on ranches in northern Nebraska, will move from Fort Russell to morrow under command of Captain Montgomery

The captive women and children at Fort Robinson will be released at the request of Red Cloud, the Ogallalas earnestly desiring that the widows and orphans, who are their relatives, be turned over to them as their natural protectors, so they may take them to their homes and care for them It is believed the adoption of this course will allay excitement and attach the Red Cloud Indians to the government

A LETTER FROM RED CLOUD

A Reply to an Imputation That He is a Horse-Thief

The following correspondence is published in the Nebraska papers

Pine Ridge Agency, Dakota, Dec 28, '78—John Pratt, Esq, president of Lincoln county stock growers' association, North Platte, Neb—Sir I had the honor to receive a copy of the resolutions passed at a meeting of your association relative to horses being stolen from Red Cloud agency, and the interest the association will take in preventing the same, and asking that it be made known to my Indians Consequently, I read it to Red Cloud and other chiefs and headmen, and explained to them the relation you bore to each other in the protection of property, as well as peace and good order They were impressed with the importance of the matter, and called their people in council and request me to report the result of their deliberations, which are as follows

Yours respectfully, JAMES IRWIN, Agent

The talk you have sent us is good We think you believe an Indian has rights as well as a white man, and that is a good thing on the right road, because that will make peace and good friends We will do what we can to help you get back stolen horses If they come into our camp we will take them and let you know so you can get them If we see them driven north we will stop them and report to our agent We have asked him to make the same bargain with good men in the Black Hills and Deadwood When we started out to try to be white men we meant it, and now we want to tell you these things When an Ogalalla goes over the Nebraska line to look for his horses with a pass in his pocket, don't shoot at him until you know what he is there for If a bad Indian should steal a horse don't say Red Cloud is on the war path, we don't say that you are making war when your bad men steal our horses

Send the brands of as many of your people's stock as you can, and we will have it nailed up in the council room so we can all see it We hope that you will not look upon this as a bald-headed treaty, but as an understanding between men who want to be honest and do the fair thing

Your friends, his
RED CLOUD
mark
And all Chiefs and Headmen

THE RENO TRIAL.

Chicago, Jan 17—The scout, Girad, who testified to day in the Reno inquiry gave a lengthy account of the movement of the troops on the day of the Custer massacre He described the condition and situation of the battle field and mentioned the various orders given The witness believed the fighting force of the Indians was 2 500 to 3,000 warriors They heard several volleys of from 50 to 100 shots each on the other side of the village at about the time the order was given 'every man to his horse' Reno's force at that word left the wood where they were stationed and in ten or fifteen minutes they saw Custer's command, or what he believed to be that command He thought the force of 150 men ought to have held the Indians in check some time Witness' further testimony related to the finding of the bodies, etc

THE BLUE RIBBON CONVENTION

Waterloo, Iowa, Jan 15—The convention of the blue ribbon clubs of the state of Iowa met at Burnham's opera house in this city to day About 600 delegates were present or represented W V Lucas of Mason City was made permanent chairman and Col Nate A Reed of Muscatine secretary.

In the evening session a series of resolutions were adopted relating to the faith of the convention in the necessity for the entire enforcement of the state liquor law, and that it should be so amended as to prohibit the manufacture and sale as a beverage of all liquors containing alcohol

The convention was very harmonious

MILITARY CHANGES.

Leavenworth, Kansas, Jan 18—Companies C, F and H, Twenty third infantry, together with headquarters and the major of the regiment, were ordered by Gen Pope to day to leave here by rail on the 27th inst for Fort Dodge, Kansas, and thence march to Fort Supply, Indian territory, where they are to take post Company B same regiment, now at Fort Hays, is to join the other companies at Fort Dodge and proceed with them to Fort Supply The other six companies of the regiment will leave here as soon as arrangements can be made to take post at some point in the Indian territory to be hereafter named This is Col, Jeff C Davis' regiment

CONGRESSIONAL.

SENATE

Washington, Jan 20—Cockrell introduced a bill to provide a uniform national currency; to retire notes of national banks and prohibit their incorporation and the issue of their notes, to utilize silver and silver coin, and provide for the reissue of coin and bullion certificates, to provide for the redemption or payment of bonds of the United States, the issue of bonds bearing a lower rate of interest and to provide for the expansion and contraction of paper currency to meet the business interest, and wants of the country Laid on the table at the request of Mr Cockrell, who desired to submit remarks *in favor of the measure*

Mr Morgan submitted the substitute agreed on in the democratic caucus for Mr Edmunds' resolution concerning suffrage under the later constitutional amendments Laid on the table

Mr Bruce, from the committee on pensions, reported a bill granting Dr Mary L Walker an increase of pension to $20 per month Placed on the calendar

HOUSE

Washington, Jan 18—The Geneva award bill was taken up as the regular order of business

After some discussion the previous question was seconded and the main question ordered, the understanding being that Mr Butler should be allowed fifteen minutes, and Knott as much as he desired, before the vote was taken

Washington, Jan 20—Mr Potter asked leave to offer a resolution authorizing the the investigation of the cipher dispatches and to have it adopted under a suspension of the rules, but Butler having objected to that on the ground that he wished to debate the resolution it was agreed that Potter should report to-morrow after the reading of the journal

Washington, Jan 21—Immediately after reading the journal, Mr Potter called up for action the resolution directing the committee on the investigation of election frauds to inquire into the cipher dispatches and appropriating $10 000 to defray the expenses of such inquiry

Mr Butler opposed the resolution on the ground that congress had no jurisdiction over the private correspondence of any body, and he was a private man who held no public position, besides, congress should not take part in the slander of any public man to satisfy the curiosity of anybody in the house or out of it The result of appropriating money for the investigation would be to stir up something which had better not be seen or felt or smelt It would be far better to give ten thousand dollars to the poor workingman's family He had spoken against the resolution in order that it might be said hereafter that at least one man acting as a judge and as a member of congress unbiased by party prejudice, [laughter], had been averse to stirring up the private affairs of private persons,

Mr Hale followed in support of the resolution He said now that the machine had been started and set in motion let it roll and make investigation into both sides of the question He had some sympathy for that simply hearted old gentlemen in New York who had been taken from his privacy and thrust upon the country as a presidential candidate, who had become the apostle of reform, and who had remained in his closet awaiting the verdict of the American people taking no hand or part in the notable campaign He has been surrounded by confederates and coparceners and nephews [laughter] who had attempted to purchase the electoral college, and the simple hearted old man should have an opportunity to come before congress and protect his character from men close around him who had attempted to besmirch him

Mr Conger followed with a short speech making sarcastic allusions to the cipher dispatches as scriptural telegrams's gued, by Moses and Aaron and the rest

Mr Hewitt of New York, supported the republicans He called the attention of Butler to the fact that there were occasions in life when there was something higher than a judge or a member of congress It was then the sense of manhood struck into the human heart He stood here in that spirit of manhood to invite the fullest investigation of telegrams—those which had been published and that which had not Justice to Sam J Tilden demanded that the investigation should be made, justice to the great democratic party demanded it, justice to the American people who had elected him to the highest office in their gift, demanded it Let Tilden have an opportunity to confront his accusors and traducers and show the world that at least one of the candidates at the late presidential election was not a miserable trickster, willing to bargain for the highest office in the gift of the people

CAPITAL NOTES

Washington, Jan 18—The house committee on coinage authorized Mr Maldron to prepare a bill for the redemption of trade dollars at par and to prohibit its further circulation in the United States The question whether its coinage for exports shall be permitted was not disposed of Mr Vance was authorized to report a bill introduced by Cummings to provide for the redemption in legal tenders of subsidiary silver coin and for the re issue thereof

Washington, Jan 20—The president nominated Wm J Thompson, of Iowa, chief justice of the supreme court Idaho

Washington, Jan 20—The democratic senators in caucus to day agreed upon a substitute for Edmunds' resolution, declaring the thirteenth, fourteenth and fifteenth amendments equally valid with the other amendments to the constitution The substitute, while recognizing the binding force of the amendments named, regards Senator Edmunds' resolution as proposing legislative action in conflict with the decisions of the supreme court, particularly in the Cruikshank case, holding that the constitution does not confer the right to vote on any one, but simply confers the privilege of freedom from any discrimination on account of race, color, or previous condition, and that the question of suffrage belongs exclusively to the several states

Washington, Jan 21—The resolution authorizing inquiry into the cipher dispatches passed the house by a vote of yeas 123, nays 120

HOME NEWS

Baltimore, Jan 22—Wm Robinson, judge of election at the late congressional election, pleaded guilty to assaulting a deputy United States marshal, and Judge Bond fined him $100, and sent him to the city jail for four months

Pittsburg, Jan 20—Nicholes Jacoby, who was shot on the street while accompanying his wife home early Thursday morning, died yesterday Previous to his death he made a dying declaration in which he stated that Frank Small, a former lover of his wife, was his murderer Small is under arrest

Wheeling, Jan 20—The ice gorge here broke at 9 o'clock this morning and the river has been running full of floating ice since The steamer Nail City was forced on top of the shore ice, and had her wheel badly broken, and was badly busted up The Annie Kelly had a hole about sixty feet long stove in her side, and every effort is now being made to save her from sinking Some other accidents are reported

Cairo, Jan 20—The river is rising The ice is about the same as yesterday here, but is reported as passing Paducah the heaviest ever known Weather clear and pleasant

St Louis Jan 21—A ballot for United States senators was taken in each house of the legislature at Jefferson City this noon, which resulted in the election of the democratic nominees—Gen James Shields for the short term, and Col Geo P Vest for the long term

Springfield, Ill Jan 21—The senate and house to day voted on United States senators, and Gen John A Logan receiving the entire republican strength of 106 votes in both houses, was elected In the senate Logan received 26, Black, democrat, 24, McAuliffe socialist,— In the house Logan received 80, Black 60, Campbell, 10, McAuliffe, 3 The joint session ann formal announcement will came to-morrow

Dover, Del, Jan 21—Gov Hall was installed in office to day His inaugural address deplores the continued depression of business, which could not be attributed to misconduct in state affairs, but to unwise financial policy of the government and inflated currency

Albany, Jan 21—The legislature to-day nominated Roscoe Conkling for United States senator The vote stood in the senate, Conkling, 20, Wm Dorsheimer, 12, in the assembly, Conkling, 95, Dorsheimer, 23, Peter Cooper, 2

Harrisburg, Jan 21—The inauguration of Gov Hoyt took place to-day The procession, with its banners, music and the diversified uniforms of the different corps, made a splendid and pleasing spectacle After Gov Hoyt delivered his address the great crowd was dismissed with a benediction and a salute was fired In the evening there will be a display of fireworks, and Mrs. Gov Hoyt will hold a reception.

TRADE MARK. "VIBRATOR" Reg March 31 1874

THE ORIGINAL & ONLY GENUINE "Vibrator" Threshers,

WITH IMPROVED

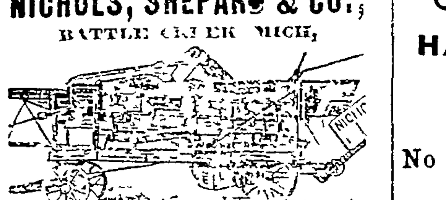
MOUNTED HORSE POWERS,

And Steam Thresher Engines

Made only by

NICHOLS, SHEPARD & CO.,

BATTLE CREEK MICH,



THE Matchless Grain-Saving, Time-Saving ... fect Cleaning ... Saving ... Wastage

GRAIN Raisers will not Submit to the ...

THE ENTIRE Threshing Expenses ...

NO Revolving Shafts Inside the Separator ...

NOT only Vastly Superior for Wheat, ...

MARVELOUS for Simplicity of Parts, ...

FOUR Sizes of Separators Made ...

STEAM Power Threshers a Specialty ...

OUR Unrivaled Steam Thresher Engines ...

IN Thorough Workmanship, Elegant ...

FOR Particulars, call on our Dealers or write to us for Illustrated Circular, which we mail free.

John Foerster's

SUPERIOR

BOTTLED LAGER BEER

YANKTON

1 Doz Quart Bottles, Wrapped and Labeled, $1 75

1 Doz Pint Bottles, Wrapped and Labeled, $1 15

1 Doz Quart Bottles, Plain, $1 50

1 Doz Pint Bottles, Plain' $1 00

Cases and Bottles to be Returned

Leave orders at the Brewery Saloon

PHOTOS

S. J. MORROW, PHOTOGRAPHER

All kinds of work and of first quality Call and examine specimens

Corner of Third & Walnut Streets

"Seeing is Believing"

A fine collection of Stereoscopic Views constantly on hand

HARNESS

FRED SCHNAUBER

Manufacturer of

First-Class Harness

And Dealer in

SADDLES, BRIDLES, WHIPS

And all articles in the Harness and Saddlery Line

Broadway, near Third Stree

DRUGS AND MEDICINES

EXCELSIOR.

DRUG STORE

MILLS & PURDY

Druggists

AND

StationerS

THIRD STREET,

Yankton, - - Dakota

DEALERS IN

DRUGS

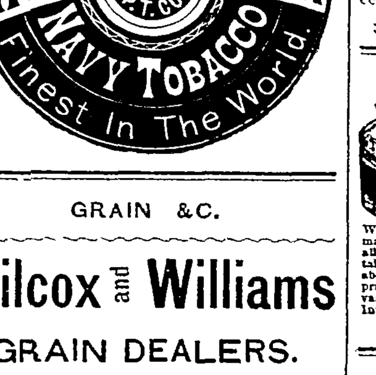
All the popular medicines of the day Prescriptions compounded by experienced pharmaceutists

The Finest Assortment of

Books and Fancy Articles

IN THE WEST.

Headlight Oil the Best in the Market



GRAIN &C.

Wilcox and Williams

GRAIN DEALERS.

Also a full line of

FARMING IMPLEMENTS

Bain's Celebrated Wagons,

—FARM AND FREIGHT—

Minnesota Chief Thresher

"NEW MANNY"

Reaper and Mower

PATENT

SPRING STEEL BEAM PLOWS.

&c, &c, &c.

Second and Mulberry Sts.

GROCERIES

The Only Perfect Business

SYSTEM ON EARTH.

LAVENDER'S

Cash Grocery House

HAS ADOPTED IT.

NO BAD DEBTS,

No Expenses for Collecting,

No Book Accounts,

No Book Keepers

These expenses, saved by the cash system, permit a great reduction in prices and still afford a margin for an honorable profit

Patrons of Lavender's Cash Grocery House get the benefit of this reduction.

Goods delivered free to any part of the city, and orders from abroad promptly filled.

Third Street,

YANKTON - - D T.

VEGETABLE AND FLOWER SEEDS

WE SELL EVERYTHING FOR THE

GARDEN

Descriptive Catalogues Free

PETER HENDERSON & CO.

35 Cortlandt St, New York.

SEEDS — PLANTS

FLOWER AND FRUIT PLANTS

PROBATE NOTICE

In the Matter of the Estate of ADALINE SEOBOLD Dec'd

In the Probate Court of the County of Yankton Territory of Dakota

NOTICE IS HEREBY GIVEN That George W Roberts has filed with the probate judge of Yankton county D T a petition praying that the last will and testament of said Adaline Seobold deceased be admitted to probate and that letters of administration with the will annexed be issued to him and that Monday, the 3d day of February, 1879 at ten o clock a m of said day at a special term of said probate court of said county of Yankton, appointed to be held at the probate court room, in the city and county of Yankton, D T has been fixed as the time and place for proving the will of said Adaline Seobold deceased, and for hearing the application of said George W Roberts for the issuance to him of letters of administration with the will annexed, when and where any persons interested may appear and contest the same

Dated January 6th 1879

[L. S.] L CONGLETON
n28 4w Probate Judge

SHERIFF'S SALE

TERRITORY OF DAKOTA, Second Judicial District } ss

In the District Court within and for Yankton County

Emma E Wood Plaintiff vs Phillipp Jasmann, Rosina Jasmann Defendants

NOTICE IS HEREBY GIVEN That by virtue of a judgment of foreclosure and sale in the above entitled action made and dated on the tenth day of December A D 1878, and an execution issued upon said judgment the subscriber Millard A Baker, sheriff of Yankton county Dakota Territory for that purpose appointed, will sell at public auction at the front door of the court house in the city of Yankton, county of Yankton, Dakota Territory on

Friday, the 21st day of February,

A D 1879 at two o clock in the afternoon of that day, the real estate and mortgaged premises situate in the county of Yankton Territory of Dakota, and directed in said judgment and execution to be sold and therein described as follows Commencing at the southwest corner of the northeast quarter of the northeast quarter of section thirteen (13), township ninety-three (93) range fifty-six (56) thence east along the south line of said north quarter five hundred and ninety five feet thence north along the center of the extension of Locust street five hundred and twenty-six feet thence west along the line of the lot heretofore deeded by Bernie C Fowler to one John Foerster five hundred and ninety five feet to the west line of said northeast quarter of northeast quarter, thence south along the west line of said quarter of the quarter five hundred and twenty six feet to the place of beginning, or so much thereof as may be sufficient to satisfy said judgment, and costs, amounting in all to one thousand two hundred and ninety-two dollars and twenty-five cents with interest thereon from the date of said judgment at seven per cent per annum, and all accruing costs of sale

Dated Yankton, D T January 13 A D 1879

MILLARD A BAKER
Sheriff of Yankton Co D T

N J CRAMER
Plaintiff's Attorney n29 6w

FORECLOSURE SALE.

NOTICE IS HEREBY GIVEN, That under and by virtue of a special execution to me directed and delivered, and now in my hands issued out of the office of the clerk of the second judicial district court, within and for the county of Yankton, D T upon a judgment and decree of foreclosure and sale rendered and entered in said court on the fourth day of January A D 1879 in an action between Luke W Watriss plaintiff and James S Foster and Frances A Foster defendants wherein I am commanded to sell all those certain pieces or parcels of land situate in the city and county of Yankton, D T and described as follows to wit Lots ten and eleven (10 & 11), of block fifty-nine (59), in the city of Yankton and lots ten eleven and twelve (10 11 & 12), of block sixty six (66) in Lower Yankton according to the recorded plats of the same That I shall, on

Friday, the 21st day of February,

A D 1879 at two o'clock p m of that day, at the front door of the court house in the city and county of Yankton, Dakota Territory in obedience to said decree of foreclosure and sale sell the above described property or so much thereof as may be necessary to satisfy plaintiff's judgment, amounting to two thousand seven hundred and four dollars and fifty-three cents, with interest thereon, from January 4 1879 together with accruing costs to the highest and best bidder for cash

Dated Yankton, D T January 15 1879

MILLARD A. BAKER
Sheriff of Yankton County D T

E G SMITH Plaintiff's Attorney n29 6w

NOTICE

UNITED STATES LAND OFFICE,
Yankton Dakota, Jan 8 1879

Complaint having been entered at this office by Andreas Saylor against Ernst Mueller for abandoning his homestead entry No 1371, dated February 25 1876 upon the northwest quarter section 21 township 96 north range 57 west, in Yankton county, Dakota territory with a view to the cancellation of said entry the said parties are hereby summoned to appear at this office on the 8th day of February 1879 at 2 o clock p m to respond and furnish testimony concerning said alleged abandonment

G A WETTER Register
LOTT S BAYLESS Receiver

29 4w

SUMMONS

TERRITORY OF DAKOTA, COUNTY OF YANKTON } ss

In District Court, Second Judicial District

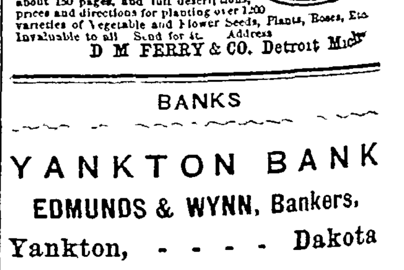
Frank Owens vs Charity Ann Owens } SUMMONS

The Territory of Dakota sends greeting To the above named defendant

You are hereby summoned and required to answer the complaint in this action which was filed on the 4th day of December, A D 1878 in the office of the clerk of the district court in and for the county of Yankton, territory of Dakota, at the court house in the city and county of Yankton D T and serve a copy of your answer on the subscriber at his office on Third St in the city of Yankton Dakota territory, within thirty days after the service of the summons on you exclusive of the day of service If you fail to answer the complaint within that time the plaintiff will apply to the court for the relief demanded in the complaint

Dated at Yankton, D T, this 4th day of December, A D 1878,

OLIVER SHANNON
35-7w Plaintiff' Attorney



BANKS

YANKTON BANK

EDMUNDS & WYNN, Bankers,

Yankton, - - - - Dakota

DO A GENERAL

Banking, Collection & Loan Business

The same as National Banks

Buy and sell exchange on the principal cities of the United States and Europe Special attention paid to collections and remitted for

Invariably on Day of Payment.

Will loan money, pay taxes and sell real estate for non-residents, on favorable terms Agents for reliable Insurance Companies, and insure property on terms favorable.

Press and Dakotaian

Thursday, January 23, 1879.

CITY AND VICINITY

LOCAL LACONICS

District Attorney Flagg is attending court at Elk Point

The Methodist church choir is entitled to a place among our best musical organizations

A reception ball to the members of the legislature from the citizens of Yankton is among the coming probabilities

Mrs Nancy M Webster has begun an action for divorce against George A Webster, on the ground of cruel treatment

Elmer J Welby, aged five years and ... months, a son of Timothy J and C H Welby died yesterday, of croup

Councilman Day has received a letter from L N Judd in which he states that A ... H ... has been confirmed as register of the Springfield land office

... e Dix the sergeant at arms of the upper ... of the court house, is looking for somebody to climb the flag staff and release the American flag from its predicament It has got beyond his control

A correspondent of the Sioux City Journal writes a letter in which he corrects the statement put forth that Maj Douglas, agent at Yankton agency, was injured He says the hurt was very light and that the major is not disabled by it

One of our Yankton young men informed a Third street merchant one day last week that he was twenty one years of age The latter in merchandise wanted to know how long since he was twenty one "Because ... the young man. I've had the seven ... three times'

The Chicago and Northwestern railroad ... is casting longing eyes upon the ... Southern line and it is not improbable that it may acquire possession of the connecting link between Sioux City and Yankton and make our city its western terminus

... Buro, a boy of 12 years, had an examination on Saturday last before Justice ... charged with attempted larceny of a ... the value of twenty five cents from ... Schregge's confectionery store E ... Adams and Oliver Shannon appeared for the prosecution and Phil K Faulk for the defense.

The Bon Homme Citizen makes us feel ... saying 'The Daily Press & Dakotaian is constantly growing better, nearer the standard of excellence and the necessities of the Great West We read, with ever increasing gratification, the Daily regularly and grow to like it and its editors more day by day'

... Adams died this morning at ... at the residence of her parents ... corner of Fifth and Cedar streets The deceased was aged twenty one years and was the eldest daughter of Thomas Adams She fell a victim to that lingering disease consumption The funeral services will be held at the Catholic church on Wednesday morning at half past nine o clock The ... Mr Adams has many friends who sympathize with them in this bereavement

Articles of incorporation of the Minneapolis and Dakota Northern Narrow Guage railroad were filed to day in the office of the secretary of the territory The proposed road is to commence at a point on the Red River of the North at or near the north line of Traill county, running thence in a ... direction through the towns of ... Frog Point and Grand Forks to ... on the northern boundary of the territory The officers of the company are ... Yetts president, and J G Hamilton secretary

The Elk Point correspondent of the Sioux City Journal learns by a private letter from ... agency that Maj Douglas agent ... Yankton Indians was very seriously ... last week It appears by this correspondence that the major and Dr Daniels were returning from a visit to Major Pollock's ... at old Ponca agency who is ... when his horse fell and ... leg was broken twice He was removed to his home and is as comfortable as could be expected although at first it was thought he could not survive the shock, he being quite an old man

FROM SPOTTED TAIL

... D Pratt, Indian trader at Spotted Tail agency arrived in Yankton Saturday direct from that agency He reports the weather ... as having been intensely cold ... several occasions at the agency the ... congealed, and having no spirit thermometer they were unable to ascertain the degree of cold attained Notwithstanding the extreme cold there were no cases of serious suffering among the Indians

At the time Mr Pratt left the Indians were quiet and apparently well disposed ... is apprehensive that when the news of the killing of the Cheyenne prisoners at Fort Robinson reaches them, coming as it ... will in an exaggerated form from Indian sources, that it will produce a feeling among the Indians which will make it unpleasant if not ... for the few white men at the agency There is a strong bond of sympathy and friendship existing between the several tribes especially among the ... bands of the Dakota nation, and it is certain that when the details of the ... affair at Fort Robinson is circulated among them it will create a feeling which ... in more serious trouble with ... than has occurred for many ... Spotted Tail started on a visit to Fort Robinson a few days before Mr ... and it is probable that he arrived ... the time or shortly after the ... of the Cheyennes took place and ... made acquainted with all the facts and circumstances which led to the affair ... get back to the agency before the ... reaches his Indians through ... sources, he may communicate it ... them in such a form as to create ... least excitement, and thus avoid ... violent demonstration He is ... of peace, and usually counsels ... to the regulations made by the government for the care and maintenance of the Indians, and will doubtless in this case place himself in opposition to any ... of hostility or revenge to which the ... and warlike portion of his band may be ... by the sudden taking off of their ... friends

DELL RAPIDS DOINGS

Special to the Press and Dakotaian
Dell Rapids, Dakota Ter, Jan 18 1878

Our bridge is finished, and has been accepted by the committee Arrangements are being made to have the approaches finished before spring

John E Loucks has moved his house to the business street, placing it a few feet from Mr Thomas' building He proposes to close and roof the space between the ... and open a new meat market therein The old meat market has 'petered out"

Mr Lyons' feed mill we believe is in operation

Our school board has ordered an outfit of Victor seats for the school house

Mr T H Davis is still very sick

Our physicians are very busy of late

WHITE SWAN RANCH FOR SALE.

Ready furnished, good stables, granary and blacksmith shop Address or inquire of
GEO CHAMBERLAIN,
White Swan, Dakota.

PERSONAL.

Saturday's Daily

W E Thomas, of Rosebud agency, arrived last night from the agency

Rev J P. Coffman went to Portlandville this morning to dedicate a new Baptist church building

Sam Kaucher returned last night from his eastern trip and left this morning for Paddock, Nebraska

Charles E Simmonds, of Chicago, a representative of the Chicago & Northwestern railroad, is in town for the purpose of conferring with legislators upon the subject of some amendments to the railroad law He will hold a conference with the judiciary committees to night

Moody County Enterprise The reappointment of Hon George H Hand as territorial secretary, is hailed with satisfaction wherever the gentleman is known Seldom it is that Dakota or any other territory contains a more capable, accommodating or generally useful official than Mr Hand

H C Dear, military trader for the Spotted Tail Indians, arrived last night from old Ponca agency. He says everything at the agency, including buildings, wood, hay and property not profitable to move, has been sold and the troops moved to Ft Randall Mr Dear will remain a few days and return to the upper country.

Elk Point Courier Ira Ellis, member of the council from this county, was in the city Monday, and went up to Yankton in the evening Mr Ellis informs us that Mrs Ellis has been very ill for a few weeks, and is yet in a critical condition Not long ago Mr Ellis had an arm broken, and as a consequence another son who was absent attending medical lectures, was called home The many friends of Mr Ellis will sympathize with him in his troubles

Monday's Daily

W R Thomas a leading citizen of Watertown, Dakota is in town

C F Hackett of the Swan Lake New Era, was in town yesterday

Capt J C McVay and A Kyes went to Sioux City and other eastern points this morning

Rev E R Richardson, rector of Christ church returned Saturday and officiated yesterday at the church

Edwin H Foster, proprietor of the Jamestown Alert arrived Saturday night He has been elected assistant clerk of the council and came down to enter upon his official duties

Tuesday's Daily

The Deadwood Times of the 15th inst announces the arrival of Judge Moody

E A Sherman, territorial treasurer, came over from Sioux Falls last night, and is in town to-day

Gene Cutting was out riding to day, for the first time since his leg was broken during the fire at Frank Hefner s

Rev J P Coffman returned last night from Portlandville, where he dedicated a handsome little house of worship belonging to the Baptists

Dr S D Pollock, of Abingdon, Illinois brother of Major Pollock, agent at Spotted Tail, arrived ... night from old Ponca, whither he was called to attend his father He reports the latter much improved and on the road to rapid recovery

NEIGHBORHOOD NEWS

Wholesaling at Niobrara is beginning to be quite an important feature of the trade there

E O Kimberly, of the Sioux Fall Times, after six weeks sickness, is able to be out again

Building improvements in Roscoe, Moody county, the past year, amounts to about $20,000

The proprietor of the Dakota house Vermillion, will give a ball on the twenty second of February

The Commercial hotel, of Sioux Falls, was damaged by fire on Tuesday to the amount of $250

Col Campbell, of Sioux Falls, assisted by his wife, celebrated his fourteenth wedding anniversary last Saturday

The buildings purchased at the military sale at old Ponca agency are being taken apart and will be hauled to their respective owners

Weekly club parties are in order at Niobrara The dancing is kept up only until midnight A ball is talked of at the close of the season

In the past three months there have been over three hundred cars of wheat shipped from Vermillion over the Dakota Southern railroad More than during the same length of time last year

Spirit Lake Beacon, 9 "After a driving year of advancement, Sioux Falls figures up her improvements to find that $286,750 have been invested there in 1878 All southern Dakota can well afford to feel proud over this record '

Bon Homme county officials have given bonds in the following amounts Treasurer, $15,000, sheriff, $6 000, assessor, $2,000, judge of probate, $800, justices of the peace, $500, constables, $500

Pioneer Bonesteel & Turner are having their Ponca agency store building brought to Niobrara, which they intend using for a warehouse S L Paxton has the contract for removal and erection here

The prospects for a continuation of the Niobrara and Keya Paha mail route to Rosebud Indian agency is quite flattering Senator Saunders writes that he has introduced a bill to that effect, and will see to it that it passes.

J L Smith returned to Niobrara from Iowa where he has been working up the interests of immigration for Holt county He reports that many from his section of Iowa will make the Niobrara country their destination the coming spring

Vermillion Republican The Dakota Southern railroad company has commenced operations below the city to master the washout They are going to drive piles and erect a superstructure on which to place the track, not far from the line of the original road bed

ANNUAL ELECTION

At the annual election of officers of the chamber of commerce held at the office of the secretary last evening, the following named persons were elected to the various offices for the ensuing year

President—James C. McVay
First Vice President—Newton Edmunds
Second Vice President—J R Sanborn
Directors—E P Wilcox Geo H Hand, Charles Eiseman, M T Wooley, Isaac Piles, S Coulson
Secretary—James S Foster
Treasurer—William Blatt

YANKTON INTERESTS AT NIOBRARA

The following items from the Niobrara Pioneer refer the interests of a couple of solid Yankton men

The new drug store of C. J Kadish is now ready for business, and Mr Joseph Kadish will superintend the store This drug store is a pride to Niobrara, and the stock which they intend keeping will be of the freshest and best They will make jobbing a speciality, and their store of goods will be found complete

E C. Dudley will immediately commence the erection of a large building on the corner of Fourth and Mississippi streets in which he will put in a complete general stock of hardware Mr Dudley is a business man of high standing, and will bring a large trade to Niobrara He will carry on the wholesale trade quite extensively

A CARD.

To all who are suffering from the errors and indiscretions of youth, nervous weakness, early decay, loss of manhood, &c., I will send a recipe that will cure you, FREE OF CHARGE This great remedy was discovered by a missionary in South America. Send a self-addressed envelope to the REV JOSEPH T INMAN, *Station D, Bible House, New York City.*

DAKOTA LEGISLATURE.

Proceedings of the Thirteenth Session

COUNCIL—5TH DAY

GENERAL COMMENTS.

The bill of which Mr Langness gave notice in the house yesterday will provide for the reference of license applications to the people That is, should it become a law, each county will decide, by vote whether or not liquor is to be sold within the county The bill will take from local officials all power to license the sale of liquor, unless such sale is ordered by a vote of the people Mr Langness is of the opinion that such a law should be enacted, and a great many people, particularly in the rural districts, coincide with his views.

The legislative visit to the insane hospital yesterday was highly satisfactory to most of the members It gave them a thorough understanding of the work there instituted and convinced them that Gov Howard has made the most he could out of his facilities

A bill will be introduced some time during the session providing for the employment of short hand reporters in the district courts of the territory This bill is a part of the contemplated effort to materially reduce court expenses and relieve the people of a portion of the taxation now placed upon them for the maintenance of judicial tribunals One prolific source of heavy bills against counties is the slow progress of court proceedings under the present provisions The testimony must all be transcribed and under the long hand system a vast amount of time is consumed, every minute of which is an expense to taxpayers With a short hand reporter in court, the time for trials where voluminous testimony comes up will be reduced fully one half The expenses of Yankton county courts, as an illustration are about seventy five dollars per day If the time consumed on trials can be reduced one half, the expense will be reduced one half and if a stenographer costs the county twelve dollars a day during days of actual work, there will be a clear saving of not less than twenty five dollars a day by employing one The states and territories are gradually adopting the short hand system as a measure of economy and in every instance results are entirely satisfactory The courts of Dakota should have the privilege of this opportunity to economize in their expenses, and as the contemplated bill gives it to them it should pass without a dissenting voice

Mr Weeks, of Clay county has the honor of introducing house bill number one It was put in this morning and is amendatory to section fifty-four of chapter twenty eight of the revenue law It provides that unpaid taxes shall become delinquent and draw interest after the first of March instead of after the first Monday in January as under the present law

Dr Flick's forthcoming bill to amend the election law, of which notice was given in the house to day, will provide only for increased voting hours on election days It will specify that the polls be opened at six o'clock in the morning and closed at six at night, giving ample time for laboring men to vote without neglecting their work Dr Flick says such an amendment to the law is much needed in the Black Hills

Mr Gray's contemplated bill authorizing the establishment of an insane hospital, of which notice was given in the house this morning, is intended to conform to the provisions of Gov Edmunds' council bill as it will be by the time it leaves the committee of the whole Mr Gray's idea in introducing it is to enable the house to give the measure consideration at the same time that it is being discussed in the council

Saturday, Jan 18—The council met at 10 o clock a m and was called to order by the president

Prayer by the chaplain

Roll called, members all present

The minutes of yesterday's proceedings were read and approved

NOTICE OF BILLS

By Mr Kuykendall—For the protection of stock and to regulate the branding and herding thereof,

To amend chapter ?, title 2, part 3, of the civil code of this territory, in relation to corporations

By Mr Valentine—To amend that part of the justices code relative to change of venue in preliminary examinations

By Mr Cuppett—For the organization of civil townships, and providing for the government thereof

INTRODUCTION OF BILLS

By Mr Kuykendall—A bill for an act to remove the cloud from certain titles

By Mr Pettigrew—A bill for an act to amend section 92 of the justices code, a bill for an act to repeal section 427 of the penal code, and a bill to amend section 1100 of the civil code

Mr Edmunds, from the committee on finance and expenditures, reported back council bill No 3, relating to the care of the insane, with several amendments, and recommended that the bill and amendments be referred to a committee of the whole council

On motion of Mr Roberts the report of the committee recommending the reference of the bill to the committee of the whole was adopted, and Tuesday next at 11 o clock, set for the consideration of the same

Council bill No 10, a bill for an act to remove the cloud from certain titles,

Council bill No 11, a bill for an act to amend section 92 of the justices code,

Council bill No 12, a bill for an act to repeal section 427 of the penal code, and

Council bill No 13, a bill for an act to amend section 1100 of the civil code, were read the first time

Council bill No 4, a bill for an act relating to penalty on taxes,

Council bill No 5, a bill for an act to amend an act relating to funding the indebtedness of Minnehaha and Lincoln counties,

Council bill No 6, a bill for an act in relation to renewing chattel mortgages,

Council bill No 7, a bill for an act regarding the relations of landlord and tenant,

Council bill No 8, a bill for an act to create a lien for miners and laborers in certain cases

Were read a second time

Council bills Nos 1 and 8 were ordered engrossed

Council bill No 1, a bill for an act to amend the charter of Sioux Falls, was read a third time, and passed

Council bill No 2, a bill for an act to increase the number of justices of the peace and constables and provide for the election of the same, came up for its third reading and on motion of Mr Kuykendall was referred to the committee on judiciary

A message from the house informed the council that the house had appointed Mr Burbank chairman of the joint committee on apportionment, and also that the house had passed council bill No 9, a bill for an act to provide for the election of assistant clerks

On motion of Mr Cuppett the council proceeded to the election of an assistant clerk of the council

Mr Roberts nominated E H Foster, of Stutsman county, for that office, and the roll being called Mr Foster received twelve votes and was declared elected

Mr Miner was excused from voting, on the ground that he was not within the bar of the council when the question was put

TERRITORIAL TREASURER

Mr Pettigrew arose to a question of privilege, and defended the territorial treasurer against the implication contained in the governor's message, that the treasurer had not properly accounted for the the territorial funds which have come into his hands Mr Pettigrew claimed that the governor in his message had made a mistake in not crediting the treasurer with the warrants redeemed of the issue of 1876, that if the proper credit for that year had been given there would have been no discrepancy shown, and no necessity for the implied strictures contained in the governor's message The whole trouble, he said, arose out of a mistake made by the governor, which any person could see who read the message, and no fault whatever attached to the treasurer He, Mr Pettigrew, had for three days refrained from alluding to this subject, in the hope that the governor, when his mistake was discovered would hasten to rectify the same and exonerate the treasurer from the imputations cast upon his integrity through the inexcusable mistake of a high official Mr Pettigrew said this exoneration had not been made from the source from which it was due and he therefore felt it to be his duty to defend the treasurer, who is one of his constituents, against the unjust aspersions cast upon his honesty and integrity by the governor whose only excuse for his assault must be his own mistake That attack upon the honesty and integrity of the treasurer has been given as wide a circulation as has been obtained by the governor's message and coming as it does from the highest official in the territorial government, it has a tendency to injure the reputation of a just and upright man, and the only way in which the governor can requite the wrong he has done is to give to a retraction or exploitation of his charges as wide and as an authoritative a circulation as was given to the charge These were Mr Pettigrew's ideas on the subject

Gov Edmunds, in reply to Mr Pettigrew said it was not the design of Gov Howard to impugn the honesty of Mr Sherman, and thought the message would not bear that construction The governor in preparing his message, drew his deductions from the data at hand, and if any error had occurred it was the fault of the data and not of the governor The law requires that the territorial treasurer shall on or before the 15th day of December proceeding each regular session of the legislative assembly make a report containing a full and true exhibit of the state of the public accounts and funds, the amount by him received, the amount paid out during the preceding fiscal year ending on the 30 h of November, and the balance remaining in the treasury, &c The treasurer had not complied with this provision of the law, and if any injustice has been done him it is his fault—not that of the governor It was not the desire or intention of the governor to assail the integrity of Mr Sherman he merely in the discharge of his duty, gave to the public the facts in his possession If the knowledge of the territorial finances in his possession were unsatisfactory,and left a suspicion resting upon the territorial treasurer, the responsibility must rest with the latter officer in not furnishing a report of the transactions of his office in accordance with the requirements of law

Mr Pettigrew replied that if the governor would correct his own mistake there would be nothing to complain of He believed that candor and truth had not controlled in this matter, and that the statements made in the message were distorted to suit the factious wish of the governor

Mr Roberts said he had carefully examined the governor's message, and he failed to see that the treasurer had therein been charged with being a defaulter, and it was in bad taste for the gentleman to assail the governor The treasurer in defending himself through a member of the council did not come before the public with clear hands, inasmuch as he had not complied with an imperative provision of law in reference to a report of the doings of his office It is an old maxim of law that "he who seeks equity must first do equity' Let the treasurer comply with the law, then if he is right he will be exonerated and if the governor is wrong, if he has made a mistake, the fact will be made known

Mr Pettigrew rose to reply, but the president stated that the question of privilege had been exhausted, and no further discussion would be entertained

Whereupon, on motion of Mr Rohr, the council adjourned until 10 o'clock a m on Monday

HOUSE—5TH DAY

The house was called to order at half past ten o'clock a m

Mr Speaker in the chair

Roll call showed all members in their seats

The minutes of yesterday's session were read and approved

The speaker announced a change in the chairmanship of the house portion of the joint committee on apportionment, which was the substitution of the name of Mr Burbank for that of Mr Gamble

Mr Stephens from the committee to which was referred that portion of the governor's message relative to the care of the insane, reported the same back without recommendation

The report was accepted and the committee discharged from further consideration

Mr Gamble moved the reference of this subject to the committee on charitable and penal institutions Adopted

A message was received from the council announcing the passage of a joint resolution providing for a committee on apportionment and the appointment of the committee

Also of the passage of council bill number nine, providing for the appointment of an assistant clerk, and for his compensation

Mr Gamble moved that Mr. Burbank be declared chairman of the joint committee on apportionment Adopted

Mr Burbank introduced a resolution specifying as follows That the assistant clerk act under the direction of the chief clerk, the messenger and watchman under the sergeant at arms, the engrossing and enrolling clerk under the chairman of the committee on enrolling and engrossing Also that any violation of the order be immediately reported to the house The resolution was adopted

NOTICE OF BILLS

By Mr Gamble—For an act authorizing the employment of stenographers in district courts

By Mr Gray—For an act concerning corporations and persons engaged in the business of banking; for an act to prevent fraudulent banking, for an act establishing the Dakota hospital for the insane and to provide for the government of the same and the care of the insane

By Mr Burbank—For an act authorizing the directors of school district number one, Richland county, to issue bonds for the purpose of completing a school house

By Mr Flick—For an act to amend the general election laws, for an act to fix the maximum rates on toll roads, for an act to amend chapter thirty-eight of the code of civil procedure, relating to the herd law

Mr Weeks introduced house file number one, a bill for an an act to amend section fifty four of chapter twenty-eight of the code, under the head of revenue The bill had its first reading

Council bill number nine, providing for the employment of assistant clerks and for their compensation, came up for reading

On motion of Mr Burbank, the rules were suspended, the bill went through its several readings and was passed by a vote of 24 to 2, Messrs Gunderson and Weeks voting in the negative

Mr. Whitfield moved to adjourn to 10 o'clock a m, Monday, January 20th Adopted.

COUNCIL—7TH DAY

GENERAL ORDER

The legislature will be asked to pass a law permitting the counties through which it is proposed to build the Minneapolis & Dakota Northern narrow gauge railroad, the articles of incorporation of which were filed in the secretary's office to day, to issue bonds to aid the enterprise Aside from the questionable legality of such an enactment, we believe the sentiment of a majority of the legislature is averse to any such legislation

Bills were introduced in the council on Saturday for the repeal of section 427 of the penal code, and for the amendment of section 1100 of the civil code The section of the penal code sought to be repealed makes the taking of a usurious rate of interest a misdemeanor, and section 1100 of the civil code provides for the forfeiture of interest where a higher rate than twelve per cent is taken or contracted for There is a decided sentiment among certain members in favor of making our interest laws more liberal and the doing away with all penalties for contracting and receiving any rate of interest which,the borrower is willing to pay It is claimed that the price for the use of money, like produce should be regulated by the law of supply and demand, that in a territory like ours, with widely separated communities with varied and dissimilar interests, a uniform law upon the subject of interest is unsatisfactory and injurious to the industrial interests of some parts of the territory For instance, in the Black Hills where money is loaned for the purchase, development and working of mineral lands, and for use in other hazardous transactions incident to a mining country, it is worth more than in agricultural or manufacturing communities, and as special laws to suit the demands of each community cannot be passed, it is urged that the present laws should be so amended as to make the rate of interest depend upon the contract entered into by the lender and borrower This sentiment will of course meet with decided opposition, and this opposition may be strong enough to defeat any proposition to change the present system

Charles E Simmonds, of the Chicago & Northwestern railroad company, has interviewed many of our legislators upon the subject of railroad legislation and has given them a fair idea of what will be asked for by outside corporations A general law is wanted, liberal enough in its provisions to enable the schemes now under consideration to be carried out There is every indication that Dakota will, next season, become the scene of the liveliest railroad operations that have been known for years All the great corporations, of Illinois, Wisconsin, and Minnesota are looking Dakotaward and they are depending on the present legislature to give them such laws as will enable them to do their part towards developing the territory

G S Wicklin of Hamlin county, to day presented his credentials as the man elected to represent the counties of Hamlin, Deuel, Grant and Codington, and urge their claims before the legislature These four counties were unorganized at the time the last apportionment was made and were unprovided with representation They have since filled up and now contain one thousand homesteaders, or a population of not less than four thousand people They ask, through Mr Wicklin, that they have the privilege of the floor and be permitted to place their claims before the representatives of the people of the territory Mr Wicklin is here for that purpose and it seems but just that the claims of his constituents receive all the recognition which can be legally granted They are a part of the people of Dakota and are interested in all legislation to be enacted this session More particularly are they interested in legislation needed for their locality and this they have entrusted to the gentlemen who represents them

Monday Jan 20—The council met at 10 o'clock, and was called to order by the president

Prayer by the chaplain

Roll called, members all present except Mr Day

The minutes of Saturday's proceedings were read and approved

REPORTS OF COMMITTEES

Mr Wynn, from the committee on education, reported back that part of the governor's message relating to education, which had been referred to that committee, and recommended that the question be referred back for investigation

Mr Roberts, from the judiciary committee, reported back council bill No 2, a bill for an act to increase the number of justices of the peace and constables, and provide for the election of the same, and recommended its passage with the amendments reported by the committee

On motion of Mr Kuykendall the amendments were adopted and the bill ordered engrossed

NOTICE OF BILLS

By Mr Roberts—To authorize the county of Grand Forks to issue bonds for the purpose of building a court house and jail;

By Mr Cuppett—To amend section 40 of the political code relating to public education

By Mr McNider—To provide for the registry of electors

INTRODUCTION OF BILLS

By Mr Roberts—A bill for an act to amend section 20, chapter 40 of the political code relating to school district meetings

By Mr Kuykendall—A bill for an act to amend chapter 3 of title 2, part 3 of the civil code, in realtion to corporations, also, a bill for an act for the protection of stock and to regulate the branding of the same

By Mr Pettigrew—A bill for act to repeal section 660 and article 3, section 666 of the civil code also, a bill for an act to amend section 3, chapter 38 of the revised codes of 1877

By Mr Valentine—A bill for an act to amend section 5 of the justices code in relation to a change of the place of trial

SECOND READING OF BILLS

Council bill No 10—A bill for an act to remove the cloud from certain titles, was read a second time and referred to judiciary committee

Council bill No 11—A bill for an act to amend section 92 of the justices code was read a second time and referred to the committee on judiciary

Council bill No 12—A bill for an act to amend section 1100 of the civil code was read a second time and referred to the committee on judiciary

Council bill No 13—A bill for an act to amend the penal code, was read a second time and referred to the committee on judiciary

THIRD READING OF BILLS

Council bill No 4—A bill for an act relating to penalty on taxes, was taken up for its third reading, and on motion of Mr Roberts was referred to the committee on finance and expenditures

Council bill No 6—A bill to amend section 1718 of the civil code referring to the renewal of chattel mortgages, came up for its third reading and on motion was referred to the committee on judiciary

Council bill No 7—A bill for an act regarding the relations of landlord and tenant was read a third time and referred to the committee on judiciary

Council bill No 7—A bill for an act creating a lien for miners and laborers in certain cases, was read a third time and referred to the committee on judiciary

ASSISTANT CLERK

E H Foster assistant clerk of the council was sworn in and assumed the duties of his position.

Mr Pettigrew moved that the president appoint a committee of three to investigate the books and accounts of the territorial treasurer, which motion prevailed, and the president appointed as such committee Messrs Pettigrew, Wynn and Rohr

Mr Pettigrew asked to be excused from serving on the committee, which request was granted and the committee then announced as consisting of Messrs Wynn, Rohr and MacNider

ADJOURNMENT

Mr Ellis moved that the council take a recess until 2 o clock p m, which motion was lost

On motion of Mr Pettigrew the council adjourned until ten o'clock to-morrow

HOUSE—7TH DAY,

The house met, pursuant to adjournment, at two o'clock p m

Mr Speaker in the chair

Roll call showed all the members present

The journal of Saturday's session was read and approved

Mr Flick asked that the invitation of the officers of the Dakota Southern railroad company to members of the legislature be read It was accordingly read by the clerk The invitation was a tender of the officers of an excursion to members of the legislature from Yankton to Beloit and return

MOTIONS AND RESOLUTIONS

Mr Flick presented a resolution and moved its passage, to the effect that a joint special committee of two on the part of the council be appointed to notify the officers of the railroad company that the legislature accepts its invitation and will name a day

Mr Gamble strenuously opposed the resolution on the ground that the legislature was here to pass laws and not to ride on railroads He was further of the opinion that if accepted the president of the road would consider that the legislature was so much indebted to him He suggested an amendment to refer the invitation to a joint committee with instructions to report upon the propriety of accepting or declining the invitation

Mr Gray did not see anything improper in the resolution It devolved upon the legislature as a body to either accept or reject it He did not think a little healthy recreation would be injurious, nor did he think that an acceptance would place members in the position indicated by the gentlemen from Yankton

The ayes and noes were called upon the resolution and it was adopted by a vote of nineteen to seven

Mr Burbank offered the following resolution

Resolved, That E S Wickin, who represents the interests of Deuel, Grant, Codington and Hamlin counties, be admitted within the bar of this house and that he be allowed to speak on any question pertaining to the interests of those counties

Mr, Gray moved that the resolution lie over Approved

NOTICE OF BILLS

By Mr. Whitfield—For an act to amend chapter thirty nine of the political code, relating to fees to witnesses, also for an act to amend chapter twenty seven of the political code, entitled election

By Mr Gamble—For an act to amend section 336 of the code of civil procedure, also an act to authorize the secretary of the territory to purchase certain volumes of the first supreme court reports and make exchange with states and other territories

INTRODUCTION OF BILLS

By Mr Gray—House file number two—an act concerning corporations and persons engaged in banking

By Mr Gray—By unanimous consent—House file number three to amend chapter three, title two, of part three of division seven of the civil code, and to provide for the organization of railroad companies, to regulate the operation thereof and to provide for the taxation of their property

SECOND READING OF BILLS

House file number one was taken up, on motion of Mr Stephens,and referred to committee on ways and means

UNFINISHED BUSINESS

Mr Fockler moved that the assistant clerk be sworn in Adopted

The speaker announced as the house members of the joint committee on the invitation of the Dakota Southern railroad, Messrs Flick and Gray

Mr Gamble, from the select committee on the treasurer's supplemental report, reported that he had examined the document and saw nothing in it on which to recommend action by the house

On motion of Mr Gray the report was adopted

The assistant clerk, W D Percival, came forward and was sworn in

ADJOURNMENT,

On motion of Mr Gray, at three o clock p m, the house adjourned to 10 o clock a m, Jan 21st

COUNCIL—8TH DAY

GENERAL COMMENTS.

Councilman Wynn will soon introduce a bill to amend the charter of the city of Yankton The amendments will provide that the officers now appointed by the mayor and council shall be elected by the people, for the election of a city assessor, and that at the next election two aldermen shall be elected in each ward, one of whom shall serve two years and the other one year, and that at all subsequent elections one alderman shall be elected in each ward to serve for two years This plan will always leave in the council four members with a year's experience in the "run of ropes" to break in the new members, and will, we believe, be a decided improvement upon the present law which makes the election of all the aldermen occur every year The bill will make other amendments, but these are the most important

A bill was introduced in the council yesterday to amend section 3 of chapter 38 of the revised codes, relating to homesteads and the conveyance thereof The section which the bill proposes to repeal provides that "no conveyance or incumbrance by the owner of such homestead shall be of validity unless the husband and wife, if the owner is married, and both husband and wife are residents of the territory, concur in and sign the same joint instrument"

Mr Gray's bill, introduced yesterday, entitled an act concerning corporations and persons engaged in the business of banking, provides that such corporations or persons, which means everybody doing banking business in the territory, shall, in January and July of each year, publish a sworn statement of the condition of their banking institution that they shall also file with the secretary of the territory, in January and July of each year, a sworn statement of condition, value of assets and liabilities, and where assets are situated The bill further provides a penalty for false returns or reports

Tuesday, Jan 21—The council met at 10 o'clock a m and was called to order by the president

Prayer by the chaplain.

Roll called, all members present

The minutes of yesterday's proceedings were read and approved

REPORTS OF COMMITTEES

Mr Roberts from the judiciary committee to whom was referred council bill No 8, a bill for act to create a lien for miners and laborers in certain cases, reported the same back with amendments, and reccommended its passage as amended, and on motion of Mr MacNider the report of the committee was accepted

The same committee reported back council bill No 6, a bill for an act to amend section 1748 of the civil code in referance to renewing chattel mortgages, without recommendation

Mr Edmunds of the committee on finance and expenditures, reported back council bill No 4, a bill for an act in relation to penalty on taxes, with a recommendation that the bill do not pass

Mr Wynn moved that the report of the committee be accepted

Mr Miner spoke in favor of the bill and hoped the report of the committee would not be adopted

Mr Rohr, who introduced the bill, spoke in favor of the bill The bill makes taxes become delinquent on the first day of April instead af the 1st of December, and he believed the passage of the bill would result to the decided advantage of the taxpayers of the territory In the fore part of the winter produce, stock and whatever the farmers have to sell, brings a less price than in the spring, and therefore the change sought would be the advantage of the farming population especially

The motion to accept the report of the committee was adopted

AMENDING THE RULES

Mr Rohr offered a resolution that rule 33 of the council be amended by striking out the word "second" and inserting the word "first" in lieu thereof, and on motion the rules were suspended and the resolution adopted The rule is amended provides that bills after their first reading shall be printed unless otherwise ordered

NOTICE OF BILLS

By Mr Roberts—A bill for an act defining the boundaries of judicial districts, and fix the time for holding courts therein

By Mr MacNider—A bill for an act to fund the outstanding indebtedness of the counties of Brookings, Moody, Burleigh and Grand Forks

By Mr Kuykendall—A bill for an act prescribing rules and regulations for the execution of the trust arising under the act of congress entitled an act for the relief of the inhabitants of cities and towns upon the public lands approved March 2d, 1867

By Mr Wynn—A bill for an act to amend the charter of the city of Yankton

By Mr Edmunds—A bill for an act to amend section 16, of chapter 28, of the political code

INTRODUCTION OF BILLS

On the call for the introduction of bills Mr Miner raised the point of order that a member had the right to introduce a bill without giving previous notice or asking leave, and read from the rules to sustain his position The president decided the point not well taken, that the rules required previous notice or unanimous consent for the introduction of a bill

Mr Miner appealed from the decision, and the question being put the council sustained the decision of the chair

By Mr Kuykendall—A bill for an act to regulate the rate of interest in certain counties in this territory

By Mr Cuppett—A bill for an act to amend chapter 40 of the political code, approved February 17th, 1878, relating to public education

By Mr Day—A joint resolution requesting the secretary of the territory to communicate with the secretary of the treasury of the United States, at once, asking for his construction of the law regulating the pay of territorial legislators

MESSAGE FROM THE HOUSE

The council was informed that the house has passed a joint resolution accepting the invitation of Mr Wicker of the Dakota Southern railroad, offering the members of the legislature an excursion over his road to Beloit, and appointed Messrs Flick and Gray a committee on the part of the house to make arrangements for the excursion

The message being taken up for consideration, Mr Wynn moved that the matter lie on the table to be acted on at some future time, which motion prevailed

By leave of the council, Mr Valentine of the special committee to which the communication of Mr Wicker was referred, reported in favor of accepting the invitation, which report was adopted

FIRST READING OF BILLS

Council bill No 20—A bill for act to regulate the sale of interest in certain counties in this territory

Council bill No 21—A bill for an act to amend chapter 40 of the political code, approved February 17th, 1878, relating to public education

The joint resolution offered by Mr Day in regard to the pay of members of territorial legislatures was read first time and on motion the rules were suspended, the resolution read a second and third times and passed by a unanimous vote of the council

SECOND READING OF BILLS

Council bill No 14—A bill for an act to amend section 20 of chapter 40 of the political code relating to school district meetings was read a second time and referred to the committee on education

Council bill No 15—A bill for an act to amend chapter 3 of title 2, part 3 of the civil code in relation to corporations Referred to committee on judiciary

Council bill No 16—A bill for an act for the protection of stock and to regulate the branding and herding thereof, was read a second time and referred to the committee on agriculture

Council bill No 17—A bill for an act to repeal section 660 and article 3, section 666 of the civil code, was read a second time and referred to the committee on judiciary

Council bill No 18—A bill for an act to amend section 3, chapter 38 of the revised codes of 1877, was read a second time

Council bill No 19—A bill for an act to amend section 5 of the justices code in relation to a change of the place of trial Referred to committee on judiciary

THIRD READING OF BILLS

Council bill No 4—A bill for an act in relation to penalty on taxes, was read a third time, and on motion was referred to the committee on elections

Council bill No 5—A bill for an act in relation to funding the indebtedness of Minnehaha and Lincoln counties, was read a third time and passed

The president appointed Messrs Valentine, Ellis and Miner as the council members of the joint committee on enrolled bills

SPECIAL ORDER

Council bill No 3, a bill for an act establishing the Dakota hospital for the insane, providing for the government of the same and for the care of the insane, having been made the special order for 11 o'clock a m, to-day, the council went into committee of the whole, Mr Cuppett in the chair, for the consideration thereof

On motion of Mr Edmunds the bill was read by sections for the action of the committee

The first section having been read, Mr Edmunds moved an amendment so as to make the section read that the authorities of the asylum claim the whole of the section upon which the asylum is now temporarily located, which amendment was recommended by the committee

Section 2 being under consideration, Mr Roberts moved an amendment that one of the members of the board located by the bill in Yankton county be assigned to Burleigh county, which motion was lost

Mr Valentine moved to strike out the words "from the county of Yankton" and insert "at large," but there being no second to this motion, Mr Edmunds moved that the section as read by the clerk be recommended for adoption

This section provides that the board of directors shall consist of four members, one from each judicial district and one from Yankton county and that the governor shall be ex officio a member of the board

Messrs Roberts, Valentine and Pettigrew opposed this section on the ground that it practical gave to Yankton the control of the board, and the provision for the appointment of a member from the first and third districts might as well be left out of the bill Mr Pettigrew said he was opposed to making the governor a member of the board; not on the ground that he had any objection to the present incumbent of that office His eight years experience in Dakota had taught him that the men sent to the territories for governors were no better than they ought to be, and he was opposed to passing a law creating an additional office for them to fill Our present governor, said Mr Pettigrew, I believe to be a good, honest and honorable man, but he may resign or die or be removed, and there is no telling but what he may be succeeded by a scalawag

Without reaching a vote upon the motion to adopt the section the committee rose, reported progress and asked leave to sit again

On motion of Mr Miner the council adjourned until ten o'clock to morrow

HOUSE—8TH DAY

The house convened pursuant to adjournment, at ten o'clock a m

Mr Speaker in the chair

Prayer by the chaplain, Rev J P Coffman

Roll call showed all the members in their seats

The journal of yesterday's proceedings was read and approved

MOTIONS AND RESOLUTIONS

Mr Burbank called up yesterday's resolution upon the invitation of the officers of the Dakota Southern railroad, relating to a legislative excursion, and moved its adoption It was adopted

Mr Stephens, chairman of the standing committee on engrossment and enrollment, asked to be excused from service on that committee

The speaker stated that unless there was objection, Mr Stephens would be so excused

Mr Burbank objected, basing such objection upon the statement that the committee was an important one, and that Mr Stephens was fully capable of filling the position of chairman

On motion of Mr Burbank, the sergeant-at arms was instructed to provide a seat on the floor for Mr Wicklin, the representative from Deuel, Codington, Grant and Hamlin counties

Mr Wicklin took his seat with a word or two of thanks for the privilege

NOTICE OF BILLS

By Mr Gamble—A bill to amend sections eight, ninety-two and one hundred and one of the justice code

By Mr Gamble—To amend chapter ten of the political code, relating to terms of the supreme court

By Mr Gamble—To amend chapter thirty nine of the political code, on compensation to public officers

By Mr Helvig—To provide for the election of inspectors of weights and measures

INTRODUCTION OF BILLS

By Mr Langness—House file number four—A bill to provide for the submission to a vote of the people the question of granting licenses to sell liquor

By Mr Gamble—House file number five—A bill for an act to provide for the employment of short hand reporters in the district courts of the territory

By Mr Gray—House file number six—A bill for an act to prevent fraudulent banking

By Mr Flick—House file number seven—A bill for an act to amend section ten of chapter twenty seven, on elections

HOUSE BILLS—SECOND READING

House file number two, a bill for an act concerning corporations and persons engaged in banking, by Mr Gray, read a second time and referred to committee on banks and banking, on motion of Mr Burbank

COUNCIL MESSAGE

A message was received from the council announcing the passage of council bill number one, relating to the amendment of the act incorporating the village of Sioux Falls

UNFINISHED BUSINESS

Mr Whitfield called up the request of Mr Stephens that he be relieved from service as chairman of the committee on engrossment and enrollment

Mr Stephens moved that he be excused from such service and that Mr Walton be appointed in his stead

Mr, Fockler moved that the question be divided

Mr Burbank moved that the whole subject be laid on the table So ordered

COMMITTEE OF THE WHOLE

On motion of Mr, Burbank, the house went into a committee of the whole on the supplemental report of the treasurer of the territory and the accompanying message of the governor, Mr Burbank in the chair

The report of the special committee, consisting of Mr Gamble, to which this subject was referred, was read It contained no recommendation

Mr Gamble stated that he had found the report very full and complete—that it was a document valuable to the house in giving an understanding of the subject of territorial finances The report by itself called for no action on the part of the committee of the whole, but in connection with the message of the governor it might require consideration He moved that the whole subject contained within the first and second reports and the governor's remarks thereon, be referred to a committee of five The motion was adopted

THE COMMITTEE ROSE

and reported its action

Mr Burbank chairman of the committee of the whole stated that this was a subject which reflected upon the integrity of a citizen of the territory and that it was entitled to immediate action, whether the party charged was innocent or guilty

Mr Gamble moved that the report of the committee of the whole be adopted, with the amendment that immediate action be taken thereon The motion was adopted and the following committee appointed by the speaker to consider the subject Messrs Burbank, Flick, Gamble, Stephens, Fockler

ADJOURNMENT

On motion of Mr Gray, the house, at eleven o clock a m, adjourned to 10 o'clock a m January 22d

A DANGEROUS TORPOR

Torpor or inactivity of the kidneys is seriously dangerous to those organs since it is the precedent of diseases which destroy their substance and endanger life This sluggishness may be overcome by stimulating them, not excessively, but moderately an effect produced by Hostetter's Stomach Bitters, a general invigorant and alterative possessing diuretic properties of no common order The impetus which this admirable medicine gives to their evacuative function counteracts any tendency to congestion which may exist in their tissues Both they and their associate organ the bladder are invigorated as well as gently stimulated by the Bitters which exerts a kindred influence upon the stomach, liver and bowels, and by strengthening the system, enables it to withstand malarial epidemics to which when exposed it might otherwise succumb

AN UNDENIABLE TRUTH.

You deserve to suffer, and if you lead a miserable, unsatisfactory life in this beautiful world it is entirely your own fault and there is only one excuse for you,—your unreasonable prejudice and skepticism, which has killed thousands Personal knowledge and common sense reasoning will soon show you that Green's August Flower will cure you of Liver complaint, or Dyspepsia, with all its miserable effects, such as sick headache, palpitation of the heart, sour stomach, habitual costiveness, dizziness of the head, nervous prostration, low spirits, &c Its sales now reach every town on the Western Continent and not a Druggist but will tell you of its wonderful cures, You can buy a Sample Bottle for 10 cents. Three doses will relieve you

Sold by Mills & Purdy

THAT BOY.

Dramatis personæ—A young American in roundabout and leggins, perched upon the fence devouring a huge piece of mince pie, and a maiden of five summers, in pantalettes, looking very wistfully at the gormand on the fence *Young America*—"I say, sis, does your mar make mince pies? If she does I ll bet they aint so good as my mar's," *Little Miss* (timidly)— I like mince awful well" *Young America*—'Well, now, that's funny' Just look here (drawing a quarter of a pie out of his jacket pocket) and its boss, too' Aint my mar good?" (carefully stowing it away in his pocket) that boy "is father to the man" who must have his cigars and any other masculine luxury his contemptible selfishness craves, while his poor sickly wife must do the work of two women ("girls waste more than they earn," he says), and for the want of a little money to purchase a few bottles of Dr Pierce's Favorite Prescription, the sovereign remedy for female diseases and weaknesses, she is literally dying by inches—and all because of that masculine selfishness that would not divide the childish luxury with his playmate, and now tacitly refuses his wife the luxury of health

Chew Jackson's best Sweet Navy Tobacco

VARIOUS CAUSES

Advancing years, care, sickness, disappointment, and hereditary predisposition all operate to turn the hair gray, and either of them inclines it to shed prematurely AYER'S HAIR VIGOR will restore faded or gray, light and red hair to a rich brown or deep black, as may be desired It softens and cleanses the scalp, giving it a healthy action, and removes and cures dandruff and humors By its use falling hair is checked, and a new growth will be produced in all cases where the follicles are not destroyed or the glands decayed Its effects are beautifully shown in brashy, weak, or sickly hair, to which a few applications will produce the gloss and freshness of youth Harmless and sure in its operation, it is incomparable as a dressing, and is especially valued for the soft lustre and richness of tone it imparts It contains neither oil nor dye, and will not soil or color white cambric, yet it lasts long on the hair, and keeps it fresh and vigorous

FOR SALE BY ALL DEALERS
Sold by Mills & Purdy, Yankton

TRIUMPH OF SCIENCE

Chemistry never achieved a more decided triumph than in the production of SOZODONT, which is a botanical preparation of wondrous efficacy in preserving and beautifying the teeth, rescuing them from decay, and rendering them as white as alabaster It is a toilet luxury of which all should avail themselves The unpleasant odor communicated to the breath by catarrh, bad teeth, etc, is entirely obviated by this fragrant and salutary antiseptic of which one bottle lasts a long time Druggists and perfumers sell it

DON'T BE DECEIVED

Many persons say "I haven't got the Consumption" when asked to cure their Cough with Shiloh's Consumption Cure Do they not know that Coughs lead to Consumption and a remedy that will cure Consumption will certainly and surely cure a cough or any lung or throat trouble We know it will cure when all others fail and our faith in it is so positive that we will refund the price paid if you receive no benefit Is not this a fair proposition Price 10 cts, 50 cts, and $1 00 per bottle For lame Chest, Back or Side, use Shiloh's Porus Plaster Price 25 cts For sale by E M Coates

Why will you suffer with Dyspepsia and liver complaint, Constipation, and general debility when you can get at our store Shiloh's System Vitalizer which we sell on a positive guarantee to cure you Price 10 cts and 75 cts For sale by E M Coates

"HACKMETACK" a popular and fragrant perfume Sold by
E M COATES,
Yankton, D T

The Centaur Liniments are of two kinds The **White** is for the human family, the **Yellow** is for horses, sheep and other animals Testimonials of the effects produced by these remarkable Preparations are wrapped around every bottle and may be procured of any druggist, or by mail from the Office of THE CENTAUR COMPANY, 46 Dey Street,New York City

MARKETS BY TELEGRAPH

WALL STREET

New York, Jan 21

Stock strong and higher

NEW YORK MARKET

New York, Jan 21

WHEAT—Dull, sales none at call, No 2 spring for January 94c bid
RYE—Quiet, western 55@58c
CORN—Dull and unchanged
BARLEY—Quiet
OATS—Dull, western mixed, 31½@32½c
PORK—Firmer, $8 10
LARD—Higher, $6 10
WHISKY—$1 50

CHICAGO

Chicago, Jan 21

WHEAT—Strong and higher, 85½c for cash, 86⅜c bid for February 87½c for March
CORN—Firm and a shade higher, 30½ for cash, 31⅛c for February, 31⅜c for March
OATS—Firmer, 20 for cash, 20¼ for February, 20½ for March
RYE—44c
BARLEY—Nominal and unchanged
PORK—Excited and higher, 9½c for cash, $8 92½ for February, $9 45 for March
LARD—Higher $6 17½c for cash $6 27½ for February, $6 40 for March
WHISKY—Higher

MILWAUKEE

Milwaukee, Jan 21

WHEAT—1@3c higher, hard 95c, No 1, 88½c, No 2, 86c, January 86, for February 87½, 71½ for March, No 3, 62c; No 4, 53c
CORN—Steady, 29c
OATS—19c
RYE—43c.
BARLEY—82c

HARDWARE

Zina Richey, Agt.

DEALER IN

HARDWARE, STOVES

AND MANUFACTURER OF TINWARE.

Mining Goods

Of Every Description.

An extensive Repairing Department is connected with our establishment

AGENT FOR THE

Celebrated Otsego Forks

ZINA RICHEY, Agent,

(Sawyer's Block.)

Third-St., - - Yankton D. T

Press and Dakotaian

Thursday, January 23, 1879.

CITY AND VICINITY

LOCAL LACONICS

Counterfeit half dollars are turning up in large numbers

The narrow gaugers are on the war path over in Nebraska and will soon ask for more county bond aid Check!

Hon R MacNider, member of the council from Bismarck, has been kept in doors for a couple of days by sickness

James Noonan is glad because it is a boy, who will vote the democratic ticket twenty-one years hence. The stranger arrived Monday night

Dr Burleigh has issued a printed circular relative to his proposed Missouri river, Yellowstone and Big Horn steamboat excursion, which we shall refer to at greater length at another time

It will be of interest to the public to know that the American Express company has reduced its tariff on merchandise between this city and Boston, to $6 50 per one hundred weight

Will Sutly arrived day before yesterday from Rosebud agency and reports intensely cold weather in that locality During the cold snap the mercury congealed and the exact temperature is not known

H W Pike, of Jenkinson & Pike, has rented the building on Third street, lately occupied by A Burnham, and will soon open therein a stock of groceries, confectionery, &c Mr Jenkinson will continue business at the old stand of Jenkinson & Pike

The president and superintendent of the Dakota Southern railroad have extended an invitation to the members of the legislature to take an excursion from Yankton to Beloit and return on any day which they may be pleased to name The invitation is made through Governor Howard and will be presented to morrow

George A Webster yesterday caused the arrest of his wife on a charge of assault and battery upon himself and made a further endeavor to have her placed under bonds not to do him bodily injury The assault and battery case was tried last evening before Justice Roberts and resulted in the acquittal of Mrs Webster

Chladek Bros have rented the building on Third street recently occupied by E T White, in which to transact the business of the sale of agricultural implements This firm also do business at Tabor in Bon Homme county Captain Frank Bem has charge of the business of the firm in this city

The gentleman who presides over the movements of the star spangled banner which has been hoisted upon the court house cupola, will relieve a great many distressed people by causing the same to be pulled up from half mast The general inference is that the legislature has gone into mourning about something

A court of arbitration may be needed to apportion a division of the reward earned by the sheriffs of Yankton, Union and Clay counties for the capture of the thieves who stole Mary Stone's horses Each sheriff wants the other sheriff to take it all, but Baker's constituents will never consent to any sacrifice on his part, as he was the head and front of the campaign and brought about a successful issue

Judge Copeland, of Vermillion, whose name was used in the house to day in connection with the office of assistant clerk, requests us to say that he was not a candidate before the caucus or the house, and that his name was used by the Clay county delegation on their own responsibility He don't wish the impression to go out that he was a candidate against the caucus nominee.

A barn belonging to Martin Hofer, located on the rear of his residence lot on north Broadway took fire about eleven o'clock last night and burned to the ground A pair of horses in the barn was dragged out and saved and the balance of its contents destroyed, involving a loss of about two hundred dollars The fire department turned out but its services were not needed There was no wind blowing and adjoining property was not endangered

Special Agent Montrose, of the revenue department, whose jurisdiction extends over several states and territories, with headquarters at Omaha, was in the city yesterday looking through the office of the internal revenue collector of this district, and during the afternoon took a turn through our breweries, wholesale liquor dealers, cigar manufacturies, &c. Mr Montrose is a gentleman of fine appearance, affable and intelligent and evidently well fitted for the discharge of the delicate duties of his position

JIM RIVER JOTTINGS

Diptheria Prevails In an Epidemic Form - Improved Mail Facilities—Religious and Educational Notes

Correspondence Press & Dakotaian

Diptheria has been prevailing in the neighborhood of Scotland Out of fourteen cases attended by Munn not one has proved fatal Some cases among the Russians have been fatal, owing to the want of proper medical attendance

Several new postoffices are about to be established on the road from Scotland to Bijou Hills, at Emanuel valley, Oak valley or Seaman's ranche, and Pease creek ranche Mail service will be applied for immediately which will afford a direct communication from Yankton via the points to Spotted Tail landing on the Missouri The road is an excellent one, well supplied with water and good grazing The freight from Yankton to the Missouri river passes over this route to Spotted Tail landing

Cold weather predominates, no let up in hard freezing nights, although we have clear sun shining days Considerable snow drifts impedes traveling, and the farmers remain at home waiting for better roads and better prices

The first day of the new year was exceedingly cold Old settlers say the sharpest freezing day for years past Dinner parties were poorly attended, and many families had to eat the old gobbler alone on account of the severe cold

Milltown has a revival under the auspices of Brother Cook of the Free Methodist persuasion All the old timers have come down to the call, and the ways they have walked in I now them no more

One thing that speaks well for the lasting improvement of the coming generation, is the number of schools now in operation in the valley Every three or four miles square affords a school house with its complement of scholars, averaging about thirty to each district.

TWO DOLLARS FOR ONE

Vermillion Standard

The citizens of this county who do not take a daily paper, should bear in mind that the Press & Dakotaian which will contain full reports of the proceedings of the legislative assembly, will be furnished to subscribers, by mail, for one dollar for the full session Every man who takes an interest in the territory should take the daily for that time at least that they may file the proceedings away for future reference To be sure, the Standard will furnish a condensed report of all the important proceedings, but it is impossible for it or any weekly to furnish as full a report as the daily can Besides the daily Press and Dakotaian during that time will contain other matter more than worth the price asked

YESTERDAY'S RAILROAD EXCURSION.

The Details of the Affair as Written up by a Volunteer Reporter.

YANKTON, DAKOTA, Jan 17, 1879

Thursday morning at six o'clock a goodly number of us assembled at the depot, having accepted the invitation of the officers of the Dakota Southern to join the excursion for Beloit, Iowa There were brave men (we say brave because they have the courage to turn out at so early an hour on such a cold morning) and fair women (we say fair because—well, because they were fair, and because we dare not call them anything else) to the number of about thirty We had the president of the First National bank, several of our leading business men a defeated candidate for congress, and last and least, several federal officials We or I should have said, they, are always along when any free junketing is to be done Anyhow, we had a jolly crowd, among them a number of our most charming matrons and maidens, and we have never seen a crowd more determined on having a good time, and they had it

At 6 30 the train pulled out, and in sixty minutes we had stopped at Vermillion, twenty-five miles, where quite an accession was made to our party, a number of the solid business and professional men of that town, with their wives and daughters, coming aboard And in the cold frost of the morning, on we sped, stopping a few moments at Elk Point, where our number was again considerably increased, and at 8 10 we had made the junction, forty-nine miles from Yankton, and the run made in one hour and fifty minutes

Here we were joined by a large party from Sioux City, a train with three or four coaches meeting us at that point The trains were quickly consolidated, Messrs Wicker and Merchant were cordially greeted by their Dakota friends, and the run of 54 miles up the magnificent Sioux Valley, to Beloit, was made in a little over two hours, and was enjoyed by 250 as jolly souls as were ever on pleasure bent The Sioux is one of the most fertile and splendid valleys in the west, and many who saw it for the first time, yesterday, were enraptured

As the cars drew up at Beloit cheers from warm hearts rent the cold air, and the visiting excursionists saw at a glance that the whole population of Beloit and Canton were out doors, and determined on giving us a good time Conveyances were on hand and the whole party were conveyed to a large and commodious school building, a few hundred yards distant, where the most admirable arrangements had been made for their reception Shawls, wrappings, hats, overcoats, &c, were checked and cared for, and thus relieved of superfluous toggery, Sioux City and Yankton, Iowa and Dakota, mingled together in friendly, social conversation in the large lower hall of the academy for half an hour, when Judge Carter, of Canton, called the attention of the assemblage to the fact that they were wanted up stairs, when the vast throng filed up the winding stairs, and all were soon seated at the long tables groaning under the magnificent collation that had been prepared for our party

Being thus seated Judge Carter welcomed us in a cordial address, and called Hon Alex Hughes of Union county, Dak, to preside, and the order of exercises were announced

Rev Mr Lozier, of Iowa, invoked the divine blessing in a brief and impressive prayer, after which the same gentleman, as spokesman for our Iowa friends, delivered an address of welcome to which Hon Bartlett Tripp of Yankton responded We are glad to say both gentlemen were felicitous and short, for we were waiting for our dinner, and inhaling the savory odors of the smoking viands we wanted the word given to pitch in The word to eat now having been passed along the line, for half an hour roast turkey, chicken, roast beef, cold ham, coffee, sandwiches, cake, &c, &c, interspersed with sallies of wit, and animated with sparkling eyes and sparkling repartee, engrossed the attention of our whole party, and a more enjoyable occasion had any of us ever encountered The wives and daughters of our Beloit and Canton friends, with sparkling eyes and radiant faces, plied hungry stomachs with rich viands, until all were well filled, and when all had eaten and were filled, there were more than twelve baskets left

These physical wants having been attended to, the chairman announced that there would be other and more speaking when short addresses were made by Rev Mr Lozier, Hon Bartlett Tripp, Hon J L Jolley, Hon J L Pennington Mr Watkins and Mr Wicker, and the very best of good feeling prevailed

We of Yankton, and Dakota, forgot for the time our greater area of territory, our better location our superior advantages, greater numbers, threw aside our metropolitan superiority, and in a spirit of generosity and humility adjusted ourselves to a plane of perfect equality with our Sioux City and Iowa friends, and we are glad to be able to chronicle the fact that they appreciate our magnanimity And yet we excelled them in everything except one—they beat us eating But then, we had no preacher along Our ladies were the handsomest, the fairest and the wittiest; but then if our Sioux City friends want us to swear theirs excel all others in the moral universe, save and except ours, we'll do it

All over, and it was announced the train would leave at 2 o'clock, and soon by the kind aid of our entertainers, we were all aboard, and amid cheers and waving of handkerchiefs the long train of seven coaches pulled out and the return trip was made without accident or incident worthy of especial mention

Old friendships were renewed, new ones made, and to day we feel that there is a closer union and a stronger friendship between Sioux City and Yankton, and between southern Dakota and western Iowa, than ever before At the junction, amid fond adieux and hearty cheers, we parted, but let us hope that our future meetings may be more frequent, assured that the more intimate the acquaintance the stronger the bond of friendship

Of our Beloit and Canton friends we can not say enough in praise They covered themselves with glory on this occasion, and they richly deserve the prosperity that the near future has in store for them They have a beautiful country, and now that the railroad and the wire connects them with the great outside world they will in the natural order of things, enter upon a season of prosperity heretofore unknown to them

And in closing we feel that too much can not be said in praise of Messrs Wicker and Merchant, president and superintendent of the road, for their efforts to render the occasion one of unalloyed pleasure to the excursionists The arrangements were all admirably conceived and carried out, all needed creature comforts were bountifully provided, and nothing was left undone to render everybody happy Mr Wicker has done a great deal to build up the towns and develop the resources of southern Dakota, and he deserves and should receive a cordial support and hearty co-operation from all our people

EXCURSIONIST

The Sioux Falls postoffice did some business during 1878 This is its report Amount of money order business, $63-065 17, stamps sold, $3,513 59, stamps canceled from July 1st to Jan 1st, $1,671 07, number of registered packages in transit, 2,489 -

DAKOTA LEGISLATURE

Proceedings of the Thirteenth Session

GENERAL COMMENTS

Coming events in the way of legislation are casting their shadows—somewhat indistinct, as yet, but sufficiently well defined to be perceptible to the searching vision There is a general disposition to take action upon the suggestions contained in the governor's message There is but one sentiment among members regarding the message and that is that it is eminently sound in all its details The governor's presence yesterday had an excellent effect Many of our legislators were unacquainted with him and even this formal coming together won them over to an appreciation of his abilities and gave weight to the suggestions embodied in his first official communication

There is a disposition, even so early in the session as this, to correct the laws of the territory upon educational matters and to provide an enactment which will give to Dakota a school code of liberal provisions and one which will compel the complete fulfillment of duties upon the part of all officers entrusted with this performance

Matters pertaining to the financial management of the territory will also receive early attention This is a point upon which all legislators are exceedingly tender They are the watch dogs of the treasury and any intimation of an encroachment upon the domain they are chosen to guard induces an ominous growl all along the line

It is generally admitted that some sort of an improved prison system should be instituted, but ideas upon the subject have not yet taken definite shape The public can, however, look for some valuable legislation upon this subject from the present legislature, and there are also decided indications of an improvement in the laws for the care of the insane and other unfortunates Something will also be done to curtail the opportunities now possessed by probate judges for imposing useless expense upon the territory and turning profits into their own pockets by taking advantage of the peculiarities of existing laws A flagrant instance of this exercise of power has been brought to the notice of the governor and his emphatic denunciation of the practice has awakened the attention of legislators to the evil

In our reference yesterday to Speaker Jackson we omitted the important item that he has been interested in Dakota in a financial way for the past seven years, and has been in the territory much of the time during that period For two years past he has made Minnehaha county his permanent home and expresses a belief that he will not again depart from so goodly a land

There was a lively discussion in the house to day over the proposition to print the governor's message in several languages Mr Burbank led the opposition to the movement while Mr Helvig and Mr Fockler were its especial champions The balance of the house, though somewhat uneasy under the running debate was comparatively silent on the main issue But Burbank forced them to show their hands by calling the ayes and noes on the question and then only five members voted against it Mr Burbank succeeded in getting in an amendment in behalf of his Bohemian constituents, which will be highly gratifying to them Mr Gunderson was the only foreigner in the house who voted against the measure Mr Burbank will move a reconsideration to morrow, when another discussion will ensue

Gov Howard to day sent to the house a supplemental report from the territorial treasurer, which bears the following official endorsement "Received and filed in the governor's office at Yankton, D T, January 14, 1879 at 10 30 o'clock a m" This report gives an itemized account of receipts and disbursements for two years ending November 30, 1878, and should have been made prior to the 15th day of December last, under the statute regulating the duties of territorial treasurers The report made at that time was incomplete and unsatisfactory and from it the governor was not able to obtain much information regarding the condition of the affairs of the treasurer's office This supplementary report has been placed in the hands of a special committee, consisting of J R Gamble, of Yankton, who will examine it and report results.

The speaker of the house is at work making up his list of standing committees and it is understood that they will be announced to morrow's session The adoption of the report of the committee on rules was a necessary preliminary to this work and as that has been accomplished, Speaker Jackson is now ready to fix up his committee list

COUNCIL—2D DAY

Wednesday, Jan 15 —The council met at 10 30 o'clock a m and was called to order by the president

Prayer by Chaplain Potter

Roll called, members all present except Mr MacNider

The minutes of yesterday's proceedings were read and approved

REPORT OF COMMITTEES

Mr Cuppett, from the select committee to report rules for the government of the council, reported in favor of adopting the rules of the last council with a few amendments The report was received and the rules reported by the committee adopted

RESOLUTIONS

Mr Miner offered the following resolution, which was adopted

Resolved, That the federal officials be invited to occupy seats within the bar of the council whenever they choose to occupy the same

Mr Pettigrew offered the following joint resolution, which under a suspension of the rules was adopted

Be it resolved by the legislative assembly of the territory of Dakota, That the secretary of the territory is hereby instructed to furnish to each member of the legislature one copy of the revised codes of the territory of Dakota passed at the last session of the legislative assembly

NOTICE OF BILLS

Mr Pettigrew gave notice that he would on to morrow or some subsequent day of the session, introduce a bill to locate and provide for the building of a territorial prison

Mr Kuykendall gave notice that he would on to morrow or some subsequent day of the session, introduce a bill increasing the number of justices of the peace and constables, and providing for their election

The president of the council then announced the following

STANDING COMMITTEES

Judiciary—Messrs Roberts, Pettigrew, Kuykendall

Education—Messrs Wynn, Valentine, Cuppett

Finance and Expenditures—Messrs Edmunds, MacNider, Day

Elections—Messrs Rohr, Ellis, Miner

Railroads—Messrs Pettigrew, Valentine, Roberts, Cuppett, Edmunds

Counties—Messrs Ellis, MacNider, Kuykendall

Territorial Affairs—Messrs Valentine, Edmunds, Roberts.

Public Printing—Messrs Cuppett, Pettigrew, Wynn

Engrossed and Enrolled Bills—Messrs MacNider, Wynn, Rohr

Highways Roads and Bridges—Messrs Day, Ellis, Miner

Mines and Mining—Messrs Kuykendall, Rohr, Valentine

Agriculture—Messrs Miner, Ellis, Rohr

Immigration—Messrs Cuppett, Roberts, Kuykendall

MESSAGE FROM THE GOVERNOR

A message was received from the governor by his private secretary, informing the council that he had this day transmitted to the house the report of the territorial treasurer

GOVERNOR'S MESSAGE

Mr Roberts offered a resolution that a select committee of three be appointed to which shall be referred the governor's message, which resolution was adopted.

On motion of Mr Edmunds the vote by which the resolution was adopted was reconsidered

Whereupon, by unanimous consent, Mr Roberts withdrew the resolution

On motion of Mr Edmunds it was voted that the council will go into committee of the whole at 10½ o'clock to-morrow on the governor's message

A message from the house informed the council that the house had passed a joint resolution ordered the printing of 1,500 copies of the governor's message for the use of the members of the legislative assembly

On motion of Mr Pettigrew the council adjourned until 10 o'clock to-morrow

HOUSE—2D DAY

The house was called to order at ten o'clock this morning, and proceedings were opened with prayer by the chaplain

Mr Speaker in the chair

Roll call showed all the members in their seats excepting Mr Gamble

The reading of that portion of the previous day's procedings, which included the governor's message, was dispensed with, and the balance of the proceedings read

A Culbertson, elected yesterday as watchman for the house, was presented by Mr Stephens, and sworn in by the speaker

The select committee on revision of rules reported progress, and asked for further time to complete its work

Mr Burbank, chairman of the select committee on joint rules, moved that the committee be discharged, as its work was fully provided for in the appointment of the general committee on rules The motion was adopted

Mr Stephens presented a resolution requesting the secretary of the territory to furnish each member of the house and the council with a copy of the revised codes of the territory Adopted

A message was received from the council announcing the appointment of a committee on joint rules

Mr Fockler asked permission to submit a substitute to rule nineteen

Mr Gamble said that the committee was nearly ready to submit its report on rules, and Mr Fockler withdrew his request

Mr Gray moved a recess of a half an hour Adopted

AFTER RECESS

On motion of Mr Burbank, it was ordered that fifteen hundred copies of the governor's message be printed

was received from the governor, transmitting a supplemental report from the territorial treasurer

Mr Helvig moved as an amendment to Mr Burbank's motion that the message of the governor be printed in the German, Scandinavian and English languages—300 in German and 300 in Scandinavian

Mr Stephens said he understood that 1 500 copies had already been ordered and thought it would require an additional motion to effect the object aimed at by Mr Helvig

Mr Fockler said 1,500 had been ordered without reference to the language in which they were to be printed

Mr Gray said he would like to see the message printed in several languages, but was of the opinion that the motion ordering the printing had already been passed

Mr Gamble was of the opinion that Mr Gray's point of order was well taken He also suggested that if a motion of this nature should be adopted it would be necessary to pay the cost of printing in foreign languages from the funds of the territory, as the government would not liquidate any such claim

Mr Burbank by way of explanation, said that his motion calling for the printing of 1500 copies of the governor's message was made with the understanding that the English language was to be employed It was now only in order to offer a new motion calling for the printing of additional copies in other languages

Mr Fockler moved that 400 copies of the governor's message be printed in German and 400 copies in Scandinavian

Mr Burbank moved to amend by adding 400 copies in the Bohemian language

The amendment was adopted

On the original motion Mr Burbank called for the ayes and noes, which were ordered and the motion was adopted by the following vote

Ayes—Brown, Cross, Fockler, Gamble, Gray, Helvig Hoyer, Hoyt, Johnson, Langness, Mauxsch, Peterson, Shely, Simonson, Stephens, Stewart, Trygstad, Webber, Weeks Whitfield, Mr Speaker—21

Noes—Burbank, Flick, Gunderson, Huseboe, Walton—5

Mr Burbank changed his vote to the affirmative and gave notice that he would, to morrow, move a reconsideration of the vote by which the motion was passed

A message was received from the council announcing the passage of a joint resolution for the election of an assistant clerk, at a salary of four dollars per day, to be paid from territorial funds.

Also the passage of a joint resolution requesting the secretary to furnish each member with a copy of the revised code

Mr Gamble, of the committee on rules, presented the report of the committee on house rules and asked for further time in which to complete the report on joint rules

On motion of Mr Gray, the report of the committee was adopted

On motion of Mr Burbank, the communication of the governor, embodying the supplemental report of the territorial treasurer, was referred to a committee of one, consisting of Mr Gamble

On motion of Mr Gray, the message of Governor Howard was referred to the committee of the whole

Mr Flick moved to adjourn Lost

Mr Stephens moved to adjourn to two o'clock p m Adopted

AFTERNOON SESSION

The house convened pursuant to adjournment

Mr Gray said that there were in the clerk's possession two joint resolutions sent in from the council, and moved that they be acted upon, which motion was adopted

One of the resolutions called upon the secretary of the territory to furnish each member of the legislature with a copy of the revised codes, and the other authorized the employment of an assistant clerk in each house, at a salary of four dollars per day, and made an appropriation for their payment from territorial funds The house concurred in the two resolutions

Mr Stephens moved that the house adjourn to half past ten o'clock a m, January 16th Adopted

COUNCIL—3D DAY

GENERAL COMMENTS

Matters are settling down in both branches of the legislature and all hands will soon be deep into the business of the session The organization has been perfected, rules adopted and committees appointed and nothing now remains in the way of preliminaries

The talk among members upon the subject of state organization indicates a decided disposition to push the project to its earliest possible adoption A proposition for a constitutional convention is even hinted at and something of this nature may take shape before the session is ended The fact that it will require two or three years to perfect a state organization after the work is begun creates a disposition to institute proceedings with that end in view

The bill of which Judge Kuykendall gave notice in the council yesterday proposes to amend the present law so as to provide for the election of one justice of the peace and one constable in each election district of the territory, and to amend the law which now recognizes these officials as county officers and permits their election without reference to their location, and the convenience of the people of the county at large

There is among the members of the legislature a strong sentiment in favor of the amendment of the penal code so as to give justices of the peace final jurisdiction in cases of assault and battery and other minor offences in which they are now limited to a preliminary examination It is urged that a great deal of expense could be saved by an amendment of this character

It is probable that the subject of court expenses will be taken hold of vigorously and everything lopped off which in the estimation of economical members can be dispensed with It has been discovered that court expenses are the cause of a large proportion of the indebtedness of counties and while every one agrees that courts are an exceedingly necessary institution, they would be better enjoyed in a cheaper form, The clerk's fee bill is deemed by some to be excessive

The election of an assistant clerk, to be paid from the territorial treasury, was one of the occurences in the house this morning which is a departure from past customs The general government declines to allow to territorial legislatures any assistant clerks and as they cannot well be run without such officials an order was made on the territorial treasury for the money with which to meet the expense W D Precival, of Union county, was the lucky man He had previously been nominated by the republican caucus and went in against an opposition of eight votes Mr Flick, of Pennington county, made a speech in behalf of the election of J D Vaughan, the Deadwood Times reporter, basing his claims upon the proposition that six thousand voters in the Black Hills would be recognized in the appointment and that their wishes were untitled to recognition Mr Copeland, of Vermillion, was also put forward by the Clay county delegation, but it is understood that he did not seek the position in opposition to the decision of the caucus

One of the most important items of legislation to come before the session is the reapportionment for legislative purposes under the new United States law The subject was opened in both houses to day, each body introducing resolutions for a joint committee on the subject, the council resolution calling for a committee of six and the house resolution for a committee of nine The council committee was appointed, under a resolution from that body The house committee has not yet been announced, but it will probably be headed by Mr Burbank, of Richland, and will have upon it a Yankton county man, a Bon Homme county man and Black Hills man

A move is being made to provide a registry law for cities of a certain size Yankton is understood as favoring the law, and Bismarck does not seem to be at all averse to its enactment

Thursday Jan 16 —The council met pursuant to adjournment and was called to order by the president

Prayer by the chaplain

Roll called, all members present except Mr MacNider

The journal of yesterday's proceedings were read and approved

Mr Miner offered a resolution inviting Judge Copeland of Clay county to a seat within the bar of the council, which was adopted

Mr, Wynn offered the following resolution

Be it resolved by the legislative assembly of Dakota territory, That the secretary of the territory is hereby instructed to furnish to the members of the legislative assembly one thousand copies of the governor's message in the English language and five hundred in the German language

Which was laid over under the rules

Mr Roberts offered the following resolution which on motion was adopted

Resolved, That a committee of three be appointed by the president to act with a similar committee on the part of the house, on legislative apportionment and to report by bill or otherwise to one of the houses

On motion of Mr Roberts, Mr MacNider was excused for non attendance at yesterday and to day's session on account of sickness

By Mr Rohr—In relation to penalty on taxes

By Mr Roberts—To amend section 20, chapter 40, in relation to holding school district meetings

By Mr Kuykendall—To remove the cloud from certain titles, to provide liens for miners and laborers in certain cases, concerning the relations of landlord and tenant

By Mr Cuppet—To amend section 1748 of the political code in relation to renewing chattel mortgages

By Mr Pettigrew—To amend an act to incorporate the village of Sioux Falls

By Mr Edmunds—To provide for the care of the insane

By Mr Kuykendall—To increase the number of justices of the peace and constables and provide for the election of the same

The council went into committee of the whole on the governor's message, Mr Valentine in the chair Without doing any business, the committee rose and asked to sit again at 2 o'clock this afternoon, for the consideration of the message

MESSAGE FROM THE GOVERNOR

The governor, by his private secretary, transmitted the following special message

To the Council and House of Representatives —The necessity for immediate action for suitable care of the insane of the territory makes it my duty to bring the subject to your attention, and to ask that your action be as prompt as the due consideration of its importance and the interests of the people will permit

The cost of the necessary buildings, when complete and ready for use, including grates, cooking utensils, heating, furniture, beds and bedding, should be carefully considered The cost of running it economically and efficiently should have due conideration A plan of organization that shall secure harmonious and humane results, requires thoughtful care and patriotic devotion In short, what is the best possible thing to be done? And what is the best way to do it

The amount expended to put the building in its present state of forwardness is $2,285 This includes all that was necessary to be done before cold weather, such as plastering, cisterns, &c For ceiling, grating, construction of cells, &c, it will probably cost as much more—perhaps $2 500 Then for furniture, including beds and bedding, stoves, cooking and laundry articles, say $1,200

After careful consultation with experts, and whose experience give value to their opinions, I think it will cost nearly $6,000, including what has already been done, to set it running with capacity to accommodate forty patients

The cost of the care and keeping, provided the number does not exceed thirty, will be about $5,000 per year, or about $166 each, exclusive of clothing But suppose it costs $200 each, or $6,000 for thirty, still the cost of the building would be saved in one year For I know of no respectable private institution where they can be as well kept and cared for at a cost of less than $400 each

The question of organization is a very important one The statutes of the newer states embody the result substantially of their experience The general features of the Iowa plan are as good as any I have seen I make the following suggestions

There should be four trustees or commissioners, two of whom should be chosen for two years, and two of them for four years The four should constitute a board, and the governor should be ex officio a member It would be well to locate one at least in each judicial district Three should constitute a quorum They should be men of high character—selected with great care, and should have ample powers, and be made responsible under the law for producing the best results

Judge Bennett is well acquainted with the Iowa plan, and has given much attention to the subject, and, at my request, he has drafted a bill for a plan of organization This will be of service in considering the subject

To meet our responsibilities for the next two fiscal years the expenditures will be large and the appropriation should be ample, but be well guarded so as to secure economy and fidelity

Should it be deemed best it is probable the entire cost of construction and outfit could be divided into three annual payments of $2,000 each and paid out of what will have been saved

I ask your immediate action upon this whole subject

WM A HOWARD

The governor also transmitted a letter from C G Wicker, president of the Dakota Southern railroad, inviting the members of the legislature and the officials of the territory to an excursion to Beloit and Canton at such time as the members may select

On motion of Mr Roberts, the letter was referred to a special committee of two, consisting of Messrs Valentine and Cuppett

The bill introduced by Mr Edmunds in relation to the keeping and care of the insane was read a first and second times and referred to the committee on finance and expenditures

The bill to amend the charter of the village of Sioux Falls was read a first time

The bill to increase the number of justices of the peace and provide for the election of the same, was read a first time

A message from the house announced the passage by that body of the joint resolution providing for assistant clerks for the two houses, and requesting the secretary of the territory to furnish each member of the legislative assembly with a copy of the revised codes of the territory

Mr Pettigrew from the committee on joint rules reported in favor of the adoption of the joint rules of the 12th session, which report was adopted

The chair announced the following special committee on apportionment—Messrs Roberts Pettigrew and Kuykendall

On motion of Mr Kuykendall the council took a recess until 2 o'clock p m

AFTERNOON SESSION

The council met at 2 o'clock p m and immediately went into committee of the whole on the governor's message, Mr Valentine in the chair

The message was read, and its reference recommended as follows,

Introductory remarks, to the committee on territorial affairs

Indians, to the committee on judiciary

Prisons, to a special committee consisting of one councilman from each judicial district

Finance, to the committee on finance and expenditures

Education, to the committee on education

Railroads, to the committee on railroads

Immigration, to the committee on immigration

Care of the poor, to the committee on counties

Pardoning power and rewards for arrests, to the judiciary committee

Apportionment to the special committee on apportionment

Public library, to the committee on public printing

Territorial expenses, to the committee on finances and expenditures

Reports of territorial officers, to the committee on finances and expenditures,

Mr Miner moved that the concluding remarks of the governor be referred to the committee on agriculture

Mr Roberts moved that they be referred to a committee of one, to consist of the gentleman from Clay county which amendment was lost and the original motion prevailed

The committee then rose and through its chairman reported its action to the council and on motion of Mr Miner the report was adopted

A message was received informing the council that the house had passed a joint resolution providing that six copies of the Daily Press & Dakotaian be furnished each member and officer of the legislative assembly during the session, and appropriating from the territorial treasury the sum of $300 to pay for the same also, a joint resolution providing for the appointment of a committee of nine, consisting of five members of the house and four members of the council, to report a bill for the apportionment of the territory into legislative districts

Mr Wynn moved that an additional councilman be added to the committee on apportionment which motion prevailed and Mr Edmunds was appointed as such additional committeeman

The president announced as the special committee on prisons Messrs Kuykendall, Roberts and Ellis

The joint resolution transmitted from the house providing for supplying of each member and officer with six copies of the Daily Press and Dakotaian, was taken up and read

Without taking action, on motion of Mr Wynn, the council adjourned

HOUSE—3D DAY

The house was called to order at half past ten o'clock a m

Mr Speaker in the chair

Prayer by the chaplain

Roll call showed all members in their seats

A message from the governor, special in in its nature, and relating to the care of the insane, was received

Also a copy of a letter from the officers of the Dakota Southern railroad asking the members of the legislature to participate in a railroad excursion to Beloit and return on any day they might name

THE MINUTES

of yesterday's session were read by the clerk

STANDING COMMITTEES

The speaker announced the following standing committees

Judiciary—Messrs Gamble, Gray, Burbank, Whitfield Stephens

Education—Messrs Huseboe, Whitfield, Fockler, Gray, Languess

Ways and Means—Messrs Weeks, Flick, Mauxsch, Shely, Helvig

Counties and Townships—Messrs Brown, Walton Shely, Johnson, Helvig

Public Printing—Messrs Mauxsch, Burbank, Cross Stewart, Trygstad

Engrossment and Enrollment—Messrs Stephens, Walton, Webber, Stewart, Langness

Territorial Affairs—Messrs Stewart, Hoyt, Hoyer, Flick, Trygstad

Agriculture—Messrs Langness, Johnson, Brown, Fockler, Shely

Insurance, Banks and Banking—Messrs Stephens, Gray, Peterson, Hoyer, Simonson

Mines and Mining—Messrs Whitfield, Flick, Gunderson, Webber, Johnson

Railroads—Messrs Gray, Gamble, Burbank, Huseboe, Helvig

Charitable and Penal Institutions—Messrs Gamble, Whitfield, Burbank, Helvig, Langness

Highways, roads and Bridges—Messrs Flick, Whitfield, Shely, Gunderson, Weeks

Immigration—Messrs Stephens, Burbank Brown, Cross, Fockler

Mr Gamble, from the select committee on house rules reported that a conference had been held with the council committee and that the joint rules, of the last session had been agreed upon

Mr Gamble presented the following resolution

Resolved by the House of Representatives, the Council Concurring, That a joint special committee of nine members, five from the house and four from the council, be appointed to prepare and present a bill apportioning the representation in the two houses of the legislative assembly, with leave to report at any time

Resolved, That the chief clerk of the house of representatives communicate this resolution and the action of the house thereon to the council and that we request its concurrence therein

Mr Gamble moved the adoption of the resolution and that the gentleman from Richland be made the chairman of the committee The resolution and motion were adopted

Mr Stephens moved that the secretary of the territory be requested to furnish to each member and officer of the legislature six copies each day of the Daily Press and Dakotaian and that $300 be appropriated from territorial funds to pay for them

The ayes and noes were called and the motion prevailed by the following vote

Ayes—Messrs Brown, Burbank, Flick, Gamble, Gray, Huseboe, Langness, Mauxsch, Simonson, Stephens, Trygstadt, Walton, Webber, Whitfield, Mr Speaker—15

Noes—Messrs. Cross, Fockler, Gunderson, Helvig, Hover, Hoyt, Johnson, Peterson, Stewart, Weeks—10

Absent and not voting—Mr Shely—1

Mr Burbank moved that the vote by which the printing of the governor's message was ordered in German, Scandinavian and Bohemian be reconsidered The motion was adopted

Mr Langness moved that the whole subject be indefinitely postponed Adopted

ASSISTANT CLERK

Mr Gamble moved that the house proceed to the election of an assistant clerk Adopted

Mr Stephens nominated W D Percival, of Union

Mr Whitfield nominated J D Vaughan, of the Black Hills

Mr Weeks nominated H A Copeland of Clay

The vote resulted as follows Percival, 17, Vaughan, 3, Copeland, 5

Mr Percival was declared elected

NOTICE OF BILLS

Mr Brown gave notice that he would on to morrow or some subsequent day of the session, introduce a bill combining Hutchinson and Armstrong counties, combining Hanson and Davison counties, combining Bramble and Miner counties, changing the boundaries of Wood, Kingsbury, Burchard, Spink, Thompson, Mills and Beadle counties

COMMITTEE OF THE WHOLE

On motion of Mr Burbank, the house went into committee of the whole on the governor's message, Mr Gray in the chair

On motion of Mr Stephens, the committee rose, without transacting any business, reported progress and asked leave to sit again at ten o'clock a m to morrow

SPECIAL MESSAGE

The special message of Gov Howard relating to insane (printed in council proceedings) was read, and, on motion of Mr Stephens, referred to a special committee consisting of Messrs Stephens, Gray, Burbank, Flick, Gamble

ADJOURNMENT, ETC

Mr Burbank moved to adjourn

Mr Flick moved that the invitation of the Dakota Southern officials be referred to a committee of three

Mr Burbank moved to amend by accepting the invitation

Mr Gamble moved to adjourn to two o'clock p, m but withdrew it and moved to adjourn to the regular hour, ten a m Jan 17th Adopted

COUNCIL—4TH DAY

GENERAL COMMENTS

The bill introduced into the council yesterday by Gov Edmunds, providing for the establishment of a hospital for the insane, locates the hospital on the school section north of Yankton It provides for the appointment, by the governor, subject to confirmation by the council, of a board of four trustees, of which the governor shall be *ex officio* president These trustees are to receive no remuneration for their services, but their actual expenses are to be paid They are to have absolute control of the management of the affairs of the hospital, and are to appoint its superintendents and subordinates The bill provides that the superintendent shall be a physician of skill, that he shall be chief executive officer of the hospital, and that he shall hold his position only during the pleasure of the board He shall also employ all attendants, nurses and servants, who shall be under his control The salaries of hospital officials are not fixed in the bill, but the board of trustees is given full authority to decide upon that point The proposed enactment is complete in all its details and if adopted will overcome the many difficulties now encountered in the management of the insane

Before the regular opening of house proceedings this morning, the speaker announced that it was the wish of Gov Howard that the members of the legislature visit the hospital for the insane He said that carriages would be in attendance at the Merchants hotel at two o'clock p m and all members of the legislature were invited to take a ride to the hospital The matter was talked over last night between the governor and several members of the legislature and it was informally agreed that a portion of the day would be devoted to the legislative visit suggested by Speaker Jackson In conformity with this arrangement, both houses adjourned at noon to-day and members have devoted the afternoon to a visit to the hospital

The bill of which notice was given in the council this morning to amend sections 324 and 325 of chapter 13 and section 8 of chapter 8 of the code of civil procedure has in view the modification of the exemption law A strong sentiment appears to prevail among members that the provisions of the exemption law have too wide a scope, and that the credit and prosperity of the territory would be enhanced by a reasonable modification of its provisions The proposition, however, will meet with a determined opposition from those who believe that the people are entitled to all the protection which the present law affords, and it is probably safe to say that any proposition to modify its provisions will meet with defeat

The council judiciary committee, which was charged with the consideration of that part of the governor's message relating to the insane, reported to the council this morning a recommendation that the finance committee take immediate action in the premises, to the end that a place may be provided for the care of the insane by the time they must be withdrawn from the institutions where they are now cared for This prompt action on the part of the committee indicates that the legislature is determined to make no delay in giving this important subject early and thorough attention

The council met at 10 o'clock, and was called to order by the president

Prayer by the chaplain

Roll called, members all present except Messrs MacNider and Pettigrew

The minutes of yesterday's proceedings were read and approved

Messrs MacNider and Pettigrew came in and took their seats

Mr Roberts, from the judiciary committee, to which was referred that part of the governor's message relating to the care of the insane, reported it back to the council, and recommended immediate action thereon by the committee on finance and expenditures

Mr Roberts moved that when the council adjourn to day, it adjourn until 10 o'clock Monday morning

Mr Wynn stated that if the motion prevailed the members would forfeit their per diem for the days adjourned over

Mr Roberts then withdrew his motion

NOTICE OF BILLS

By Mr Valentine —For the better protection of young timber planted and growing on section line roads

By Mr Day—To amend sections 324 and 325 of chapter 13, of the code of civil procedure, relating to exemptions

By Mr Rohr—An act in relation to penalty on taxes

By Mr Pettigrew—A bill for an act to amend an act in regard to funding the debt of Minnehaha and Lincoln counties

By Mr Cuppett—To amend section 1748 of the political code referring to the renewal of chattel mortgages

By Mr Kuykendall—Concerning the relations of landlord and tenant, also, a bill for an act creating a lien for miners and laborers in certain cases

The bills introduced this morning were read a first time, and

Council bill No 1, a bill for an act to amend the charter of the village of Sioux Falls

Council bill No 2 a bill for an act to increase the number of justices of the peace and constables and providing for their election, were read a second time

A message from the house informed the council that the house had this morning recinded its resolution passed yesterday ordering six copies of the Daily Press and Dakotaian for each member and officer of the legislative assembly, and also that the speaker had appointed as the house members of the joint committee on apportionment Messrs Gamble, Burbank, Stephens, Whitfield and Langness

Mr Valentine, by unanimous consent, introduced a bill entitled a bill to employ assistant clerks and to provide for the compensation of the same, which was read a first time

On motion the rules were suspended and the bill read a second and third times and placed upon its final passage

The roll being called those who voted in favor of the bill were Messrs Cuppett, Day, Edmunds, Ellis, Kuykendall, MacNider, Pettigrew, Roberts, Rohr, Valentine, Wynn and Mr President—12

Mr Miner voted in the negative

On motion of Mr Edmunds, the council concurred in the house resolution in relation to the appointment of a joint committee on apportionment

On motion of Mr Valentine the council adjourned until ten o'clock to-morrow

HOUSE—4TH DAY,

The house came to order at 10 o'clock a m

Mr Speaker in the chair

Mr Stephens moved that the minutes of preceding day be first read and the special order not called Adopted

The minutes of yesterday's session were read and approved

Mr Weeks gave notice of a bill to amend section 59 of chapter 28 of the revised codes, entitled revenue

The speaker announced the following as the house members of the joint committee on apportionment Messrs Gamble, Burbank, Whitfield, Stephens, Langness

On motion of Mr Stephens, the house returned to the order of motions and resolutions

Mr Stephens moved that the chaplain be excused until Tuesday, as he was compelled to go to Portlandville to dedicate a church Adopted

Mr Burbank asked to be excused for non-attendance at roll call, and, on motion of Mr Gamble, he was accordingly excused

Mr Stephens moved to rescind the resolution adopted yesterday, by which each member and officer was voted six copies of the Daily Press and Dakotaian at the expense of the territory Adopted

The house went into committee of the whole, on the special order of yesterday, being the governor's message, Mr Gray in the chair

Mr Gamble moved that the message be taken up by paragraphs and referred to its appropriate committees Adopted

A message was received from the council announcing the passage of a joint resolution providing a committee of three on apportionment to act with a like committee of the house, also that an additional member of said committee be appointed by the president The message gave notice of the appointment of Messrs Roberts, Pettigrew, Kuykendall, and Edmunds as the council committee under this resolution

The house resumed business as committee of the whole and the various subjects of the governor's message were referred as follows

Insane—to committee on charitable and penal institutions

Prisons—to committee on charitable and penal institutions

Finances—to committee on ways and means

Educational interests—to committee on education.

Railroads—to committee on railroads.

Immigration—to committee on immigration

Care of poor—to committee on towns and townships

Pardoning power—to committee on judiciary

Territorial expenses—to committee on territorial affairs

Rewards for arrest—to committee on judiciary

Apportionment—to the special joint committee on apportionment.

Territorial library—to the committee on territorial affairs

Reports—to the committee on judiciary

Preamble—to the committee on territorial affairs

The committee rose and reported its business finished

On motion of Mr Gamble, the report of the committee of the whole was adopted

Mr Burbank moved a suspension of the rules and that the message from the council on apportionment be taken up Adopted

After considerable discussion and the introduction of several motions on the subject, a motion, introduced by Mr Burbank, that previous action of to-day on the subject of the council apportionment message be expunged from the record was adopted

On motion of Mr Gamble the council resolution referring to apportionment was amended to conform to the provisions of the house resolution on the same subject

Mr Gray moved that the house adjourn to 10 o'clock a m January 18th Adopted

LIST OF LETTERS

Remaining in the postoffice of Yankton Yankton county, D T, Jan 15, 1879

If not called for in 30 days, will be sent to the Dead Letter office

Anderson Martha	Isaak Peter
Astand or Ashland J	Jachim Jakob
Baker Miss Gertie	Kennedy Mrs John
Blish R J—2	Keil J C
Brown Wm H	Line Leander
Brown Geo W	Lellhaug John
Coldgrove J B	Mullen John
Cox John A	McIntosh E H
Dore Bill	Peabody Stephen
George Bablizo	Ryan J
Graber Pete	Roberts Phillip
Griffin J S	Schaffer Geo
Gumerson Hans	Stagg E
Hastie A W—2	Taylor Mollie
Hays Capt John A	Truesdell Wellard
Halvorson Miss Betsey	Wanamaker Jacob
	Watts Geo A
Haberman Miss Anna	Woods Geo
Hialphar Miss A	

HELD FOR POSTAGE

Mrs J Wright Delafield, Wis—3c.

O F Davis, Omaha, Neb—2c

Am Ex Co, Mankato Minn -2c

Milwaukee House, Mankota, Minn—3c

Mrs James Lewis, West Des Moines, Ia—3c

James Cutland, Springfield, Minn—2c.

J S Letford Lamberton, Minn—2c.

Fred Herman, Springfield Minn—2c

Persons calling for advertised letters will please say advertised

A W HOWARD P M.

Sioux Falls saloons are ordered closed on Sundays

John Falde, ex postmaster at Canton, is out of trouble, having squared up with the government.

A telephone is to be constructed between Beloit and Canton, which are separated by the Sioux river

Enterprise Flandreau has a postoffice which would do credit to a town of 1,000 inhabitants In fact we believe that we have quite an advantage over Sioux Falls at the present time If you do not believe it go and take a look at it

Roscoe Express Wednesday night, January 1st, at 12 o'clock, the mercury was down to 30° below zero, and the thermometer indicated an additional 3° of coldness at daylight Thursday *This is the coldest* weather we have had this winter, and cold enough, we should judge, to satisfy anyone.

BOOTS AND SHOES

THE LARGEST

STOCK OF

BOOTS AND SHOES

EVER BROUGHT TO YANKTON,

Can be found at the "Down To n" Boot & Shoe Store.

Ladies' Slippers in late styles, and a large stock of them on hand.

Gentlemen's Shoes of all kinds. Come and see them and you will be happy.

Always remember the place and don't go astray.

MORRISON'S BLOCK, Capital St.,

JOHN A. WEEKS.

JEWELERY

POTTER & WOOD

JewelerS

Third Street, - - - Yankton, D. T.

We keep a full line of

JEWELRY and PLATED

WARE WARE WARE WARE WARE WARE

WARE

WARE WARE WARE WARE WARE WARE

COMPRISING

ICE PITCHERS, BUTTER DISHES, CASTORS, SALVERS, LADIES' Sets, Chains, Bracelets, Rings, Pins, Sleeve and Collar Buttons Napkin Rings and Forks

MUSICAL INSTRUMENTS

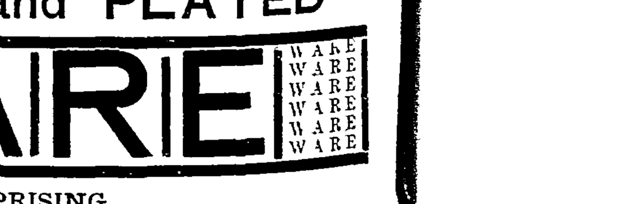
Embracing GUITARS, ACCORDEONS, HARMONIACS, VIOLINS, and BANJOS

LEROY W. FAIRCHILD'S PENS.

A Full assortment of

CLOCKS

Lazarus & Morris Perfected



EYEGLASS

A First Class Watchmaker and Jeweler has been employed from the Famous Manu factory of Giles' Bros, Chicago

ORDERS by Mail will Receive Prompt Attention

Library of Congress July 19 79

Press and Dakotaian
—ESTABLISHED 1861—
WEEKLY EDITION
Subscription Price, $2 per year
ADDRESS
BOWEN, & KINGSBURY
YANKTON - - DAKOTA
Thursday, January 30, 1879

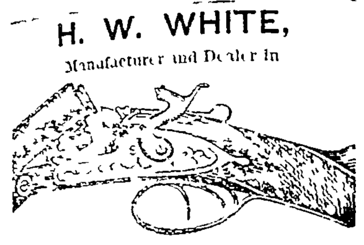
Press and Dakotaian.

Volume 17. YANKTON, DAKOTA TERRITORY, THURSDAY, JANUARY 30, 1879. Number 41.

GUNSMITHS

H. W. WHITE,

Manufacturer and Dealer in



Breech and Muzzle Loading Rifles

Shot Guns Revolvers Ammunition, Fishing Tackle Musical Instruments including my celebrated improved patent violins, and other sporting goods Agent for all the best brands of Powder Will sell down to bottom eastern prices All kinds of Fire Arms Musical Instruments Sewing Machines etc repaired Stencil Lettering, Cypresses Brass and Key Checks executed with neatness and dispatch Agent for Spies, Kissam & Co New York City

H W WHITE, Yankton, D T

Cedar Street between 3rd and 4th Sts

HOTELS

BRADLEY HOTEL

YANKTON, - DAKOTA

Corner FOURTH AND WALNUT STS

Henry Bradly, Proprietor

Convenient for Farmers, Freighters and Teamsters Rates reasonable

PLYMOUTH HOTEL,

PORTLANDVILLE, IOWA

O.A.STOEL, Proprietor

The best class house in the city Good sample rooms Baggage to and from depot free of charge

O A STOLE Prop

PROFESSIONAL

C J B HARRIS,

Attorney---At---Law

REAL ESTATE & INSURANCE AGENT

A keeper of Abstracts for Yankton County

Will practice Law in this and adjoining counties Special attention given to Conveyancing, Collecting, Money loaned or invested for non residents Will attend to all Land Office business Homestead and Contest Cases Buys and sells city property, farms and lands on commission Taxes paid and investments made throughout the Territory Has the very best

FIRE AND LIFE INSURANCE CO'S

Has a complete and correct Abstracts of Title of all the Real Estate in Yankton county

Office, Corner Third and Capital Streets

Opposite the Jencks Hotel

YANKTON - DAKOTA

D FRANK ETTER, M D

PHYSICIAN AND SURGEON

Yankton, D T

Office and Residence Corner Fifth and Douglas Streets

G W ROBERTS

JUSTICE OF THE PEACE

Third Street, opp Post Office

YANKTON - DAKOTA

BOOTS AND SHOES.

J. J. DUFFACK,

Manufacturer of and Dealer in

BOOTS and SHOES

Tongue Boots, Sewed,	$12 00
Plain Calf Boots,	10 00
French Calf " Pegged	8 00
American Calf	7 00

CUSTOM WORK

Made to Order and Repairing a Specialty !

Third Street, Yankton

LUMBER

E. P. WILCOX

Dealer in all descriptions of

Pine Lumber,

Shingles, Lath,

Doors, Sash,

Blinds, Mouldings

BUILDING PAPER

AND FELT

We have felt in sheet in any quantity desired

SECOND & MULBERRY STS,

Yankton. - - Dakota

ACADEMY OF THE SACRED HEART

YANKTON, DAKOTA

This Academy is under the direction of the Sisters of Mercy

The course of studies at this Institution besides the usual branches of a good, useful education, embraces

Music, Drawing, Painting, Plain and Fancy Needle Work, Wax Fruit and Flowers, &c, &c

The sessions commence the first week in September and the first week in February

Each boarder will come provided with Table Napkins Knife and Fork Silver Spoon Goblet and Work Basket, and have her clothing marked in full

All Payments to be Made in Advance

TERMS PER SESSION

Board and Tuition including Vocal Music in Class Needle Work, Bed and Bedding	$80 00
Washing	5 00
Music	30 00
Singing Lessons	10 00
Drawing	10 00
Painting	10 00
Painting in oil	15 00
Artificial Fruit and Wax Flowers	15 00
Lace Work	10 00

All the banana plants along the line of the North Pacific railroad are said to have been killed by the late cold spell

The Chicago Times is a good newspaper, but it will lie Its repeated assertion that Logan and Voorhees stood not a ghost of a show of nomination was given not because the Times believed it, but because the Times wanted it so

The assessed valuation, according to the Deadwood Times, of the three Black Hills counties, is $3,000,000 Our recollection that these same counties have paid a territorial tax in the past two years of $500 On this basis how much are they short? About $8 500

The Yankton Press pitches into Hayt, and Hammond, and Rea, the correspondent, with persistent and relentless fury But upon the misunderstanding between Gov Howard and Treasurer Sherman it maintains a silence that is childlike and conservative The Press can be very savage on a man who has nothing to do with the patronage of a territorial capital newspaper Otherwise, it chews its cud —*Sioux City Journal*

Neither Hayt, Hammond, Rea, Governor Howard nor Treasurer Sherman have anything to do with the "patronage" over which the Journal is worrying its honest heart We have never yet hesitated to "pitch into" a man who deserves it, but we must ask to be excused from being guided by the Journal in our estimates of character

The senatorial contests in the states are gradually taking shape and producing results The republicans of New York in legislative caucus have unanimously put forward Roscoe Conkling, while Indiana democrats take a like stand for Voorhees In the Wisconsin caucus Carpenter is slowly gaining votes and Keyes is losing ground The slight break from Keyes to Carpenter is significant The friends of the former are losing their grip while those of the latter have taken a fresh hold The democrats of the Wisconsin legislature stand ready to cast their votes for Carpenter, so he is in a pretty good position to reach out and take the senatorship even with his present republican backing Later—The telegraph brings information of the election of Matt H Carpenter in Wisconsin

A Washington telegram of the 20th inst gives this item of Indian office news 'There is a small row in the Indian office, and Chief Clerk Leeds has been suspended A report is in circulation to the effect that he had absconded, but this is untrue, as he was seen by your correspondent this evening, but declined to talk of the reason of his suspension High officers of the interior department explain that Leeds was suspended for insubordination, as he came into conflict some days ago with the commissioner of Indian affairs about the administration of the office, and declined to yield in deference to the orders of his superior officer, and was in consequence suspended from office until Secretary Schurz can investigate the matter, and determine whether Leeds was justified in his opposition to the commissioner's policy There is nothing affecting his integrity and Secretary Schurz compliments him for honesty and efficiency"

A great deal more is being made of the condition of Dakota's financial affairs by outside newspapers and persons than the facts in the case will warrant. It was not necessary that the affair be extensively advertised It is difficult to correct first impressions in cases of this nature Governor Howard made no charges, in his message, against Treasurer Sherman He found that there was a difference between the totals of dollars and cents as furnished by the treasurer and as furnished by the auditor It was clearly his duty to call the attention of the legislature to the fact and suggest that the discrepency be hunted out This he has done and there he rests his case The reference on his part implies no dishonesty in any man's action This inference, if it exists at all, has gone abroad from out the gossip which the situation has inspired, and, like other sensational items, has lost nothing in its travels The treasurer of the territory is a careful business man, and so is the governor, and the difference of opinion which has arisen between them is an honest one and one which can be readily reached and determined by the proper authorities

The railroad bill introduced into the territorial legislature we publish entire in this issue The proposed measure is one of great importance to the future of our territory and people are anxious to read it and understand its provisions The bill was constructed mainly from the Minnesota and Wisconsin laws and was drawn by an attorney in the employ of the Chicago & Northwestern railroad company While it may be liberal in its effect to the corporations which construct railroads, it appears to be alike liberal to the people who are to be affected by such construction The present railroad law of the territory will be materially changed by this enactment, though some of its provisions remain intact The obnoxious clause of our corporation laws upon the subject of personal liabilities of stockholders is amended and the taxation scheme against railroad property used in Minnesota is engrafted into the measure Dakota needs to be as liberal as possible to railroads without being unjust to itself It is the part of wisdom to encourage the building of roads across our prairies and equitable enactment is one of the encouragements which must be held out to capitalists

SITTING BULL DISCUSSED

Washington, Jan 21 —At the cabinet session to day Secretary Schurz stated that he had received a report from the Indian agent at Cheyenne agency, to the effect that information had reached that place of the recrossing of the Canadian line into the United States of the noted chief, Sitting Bull, with his people, and that they are exceedingly anxious to return to this country and come under the supervision of the Indian bureau, and be distributed in the Indian country as are other tribes This news was not confirmed by any information at the war department, but it was thought worthy of consideration, and led to some discussion in the cabinet It is reported that some 5,000 lodges, nearly 15,000 people, are with Sitting Bull The subject will receive the immediate attention of the president and secretaries of the war and interior departments Telegrams will be sent to officers of the war department as well as to the Indian agents requiring them to give the authorities here all the information they can obtain on this matter The report is that Sitting Bull comes with most peaceable intentions, but in the present disturbed condition of Indian affairs, it is not known what may be his meaning

Many a man who prays not to be led into temptation would be awfully disappointed if his prayer was granted

A FEW MORE DEVELOPMENTS

For the sole purpose of aiding the pure minded editor of the Vermillion Republican in prosecuting his missionary labors in behalf of the public, we give herewith its second grand expose It is the legislature of Dakota which the Republican wishes to reach, and as his paper does not circulate much outside the confines of Clay county, we are induced to transfer a statement of his late brilliant discoveries to our columns, that they may not be lost to the world and fail entirely of their purpose They are, moreover, somewhat useful in conveying a comprehension of the extensive breadth and depth of mind of the genius who propagated them It is sincerely to be hoped that the New York Tribune and Ben Butler may not hear of Dr Burdick There is a scarcity of talent like his among the great men of the east, and Dakota might lose him This is his last grand triumph over facts and figures

We start out by saying that we have no personal feeling towards Bros Bowen & Kingsbury, and their charge of malice on our part is wholly gratuitous, besides being in very bad taste, seeing they are unable to disprove any of our charges We desire to retract one statement in our last issue, that Bowen and Kingsbury have sold these codes, instead they have been sold by Secretary Hand We are not charging the P and D with fraud and corruption, we only give figures which look very much as though there had been We simply ask the assembly to look the matter up, and believe it will be time well spent in the interest the tax payers of this territory

The Press and Dakotaian has received the following sums of money that we know of

1874 5 received from United States		$3 610 53
1874-5	Territory	
1876 7	United States	1 542 32
1876 7	Territory for code printing	5 000 00
1875-7		
Total		$10 152 85

During these four years, that paper received over ten thousand dollars for public printing, for which we give the figures, besides other monies paid by the territory for printing, which the secretary's books will show

The figures given in the foregoing table are not so correct as they would have been had Dr Burdick run up to Yankton and looked over our books, and in order that he may obtain absolute accuracy in his researches we invite him to avail himself of this privilege Our recollection is that his total is too small Besides, during the years named, we have done considerable miscellaneous job and bindery work, have possessed an income from advertising sources and have received money on subscriptions to the daily and weekly The members of the legislature would probably be delighted over any developments which might grow out of these and other items under the manipulations of a skillful and conscientious expert And then the statement that we have received only $10,000 in four years is liable to injure our credit abroad We know the doctor has no personal malice against us, because he says so, and as he can readily see that a meagre statement like his might tend to embarrass us, we feel that he will be inclined to do us the justice of absolute accuracy in all future developments It is also hoped that he may not, in his next issue, take back anything he has said in this It is undignified in a great man, and the public always does despise a retromingent specimen of the animal kingdom

THE DEMOCRATIC SUBSTITUTE

For the Edmunds' Resolution Declaring the Validity of Three of the Constitutional Amendments

Washington, Jan 20 —Mr Morgan submitted a substitute agreed upon in the democratic caucus for Mr Edmunds' resolution concerning suffrage and the later constitutional amendments Laid on the table

The following are the resolutions

1 *Resolved*, As the judgment of the senate that the thirteenth, fourteenth and fifteenth amendments to the constitution of the United States are as valid and binding as any other part of the constitution, that the people of the United States have common interest in the enforcement of the whole constitution in the United States and that it is alike the right and duty of the United States so far as power has been delegated to them, to enforce said amendments and to protect every citizen in the exercise of all rights thereby secured

2 *Resolved* That the government of the United States and the government of the several states are distinct, and each has citizens of its own who owe to it allegiance and whose rights within its jurisdiction it must protect, that the government of the United States is one of delegated powers alone, its authority is defined and limited by the constitution and all powers not granted it by that instrument and not prohibited to it by the states are reserved to the states respectfully, or to the people, and that no right can be acquired under the constitution or secured through the laws of the United States, except such as the government of the United States has authority to grant or secure

3 *Resolved*, That the constitution of the United States has not conferred the right of suffrage upon any one and the United States have no voters of their own creation in the states, but the 15th amendment to the constitution has invested the citizens of the United States with a new constituent right, which is exemption from discrimination in the exercise of the elective franchise on account of race, color or previous condition of servitude, and it is within the jurisdiction of the United States, which congress may exert by appropriate legislation, to prevent the denial or abridgement by a state of the right of a citizen to vote when such denial or abridgement is on account of race, color or previous condition of servitude of the voter

4 *Resolved*, That when such right to vote is denied by or abridged by the conduct of a person who is not so acting by authority of and in obedience to the laws of a state, the jurisdiction to punish such conduct is in the state government and is not in the government of the United States

THE CAMPAIGN CLOSED

Twenty-Three More Cheyennes Killed Nine Wounded and Seventeen Missing

Fort Robinson, Neb, Jan 22—The Cheyenne Indian campaign has closed for the time at least On Monday Col Evans with companies B and D, Third cavalry, found the renegades in a strong position in the cliffs four miles north of the stage route, and partially succeeded in cutting off their progress They effected their usual escape and moved towards Red Cloud agency Capt Wessels, whose scouts convened the news to him, started at once with his four companies of cavalry, and at noon to day he came up to them some forty-five miles from this post Then the work of capturing them either dead or alive began in dead earnest

But 32, with nine of that number badly wounded, were captured alive of the 49 fugatives that were in the field, leaving seventeen killed Capt Wessels was slightly wounded The first sargeant of company E and an Indian scout were wounded Three of Wessel's command, a sergeant's farrier and one private were killed

This news arrived verbally by courier at midnight and more couriers with details of the battle are expected soon Ambulances have just started—midnight—to bring in the dead and wounded

Later—12 Midnight—Later news from the field states that only nine Cheyennes, all of them wounded, were captured The balance of the party, twenty-three were killed Seventeen are still unaccounted for It is supposed mome died form their wounds and others escaped

NORTHWESTERN NEBRASKA

Niobrara and Some of the Flourishing Settlements Beyond

Niobrara Pioneer

We suppose that no place in Nebraska has experienced such a rapid growth and such a sudden transformation as Niobrara has during the last year or two From its settlement in 1856, by Dr B Y Shelley, R Corvin and Huddleson, its progress has been very slow, and in this respect its history was the same as that of our old home Columbus

In 1857 some additions were made to the settlement, among whom were W Lamont, Thos N Paxton and C G Benter In 1859 Westerman and Hullihen came Up to a very recent date the principle traffic of these settlers was with the neighboring military posts and Indian agencies Still, however, the numerous small valleys of Knox county—by the way one of the best in the state in most respects—were gradually being settled, and settlements formed up the Niobrara to Paddock and beyond, assisted in shaping a permanent trade To this has been added the tribute of the cattle ranches and during the last year the current of traffic from Holt and Antelope counties has begun to flow largely into Niobrara Now the traveler as he approaches this point can see a steady stream of freighting going into and coming out of this late and almost unknown point, diverging in different directions

The site of the town, its natural situation, is favorable to its becoming a metropolitan point The tide of humanity which has been advancing wave by wave up these plains, has finally reached our great north west region, notwithstanding exaggerated mentions of its defects and stubborn silence as to its merits This human flood, finding repose in fertile basins, on level uplands and in the numerous valleys seek its level, bearing its tribute of trade with it as naturally as the rains falling on the hills, rush down gulches, canons and along the streams until the final reservoir is reached Such is the situation of Niobrara, and its destiny we believe is unalterably fixed

As to Niobrara's communication with the eastern world, the big muddy is there yet, and next year the busy little packets will ply back and forth from Sioux City as they did successfully last year With this system of river transportation, Niobrara can very successfully compete with any railroad point Those people seem to have given themselves up to benign indifference as to the tedious qualms of mother enterprise, in grievous travail with the extension of the O & N W railroad Concerning the slumbering C, C & B H they say, "*De Mortuus nil, gar nichts, nisi damit*" But they have probably a pretty sure thing now, in the proposed extension of the Iowa line of the Chicago, Milwaukee & St Paul railroad, the present terminus of which is Patterson, Ia The point of departure of this line for its ultimate destination, the Black Hills, will undoubtedly be Niobrara The realization of this new hope is probably not far distant, either, and one can hardly underestimate the events of the coming years of '79 and '80

THE RENO INVESTIGATION

Girard the Scout, Continues His Testimony and Corrects a Former Statement

Chicago, Jan 20 —In the Reno inquiry to day, Major Reno and his counsel asked leave to subpœna two more witnesses, making 26 in all, namely J Scott Payne and Sergeant Delesey of company I, Seventh cavalry The latter was present on the battlefield under Reno at the time of the massacre The court reserved decision

The scout F F Girard continued his testimony, and was cross examined by Recorder Lee The principal point made was that Gen Custer gave Reno the following order when standing within a few feet of him 'Major Reno, you will advance and try to overtake the Indians, and when you do so charge them Take the scouts with you" This contradicts the testimony of Lieut Wallace, that the order was delivered by Col Cook

When the advance was made and the Indians began to troop up to meet Reno, the latter checked his horse and his command did the same Witness then rode off to tell Custer about the approach of the Indians

Witness was closely questioned on this point and said that after telling Col Cook, whom he met, to bear this news to Custer he rode back to Reno's command and advanced with them, but in the rear of the column When he caught up, the skirmish line was formed and the horses were in the timber in charge of the horse holders The men advanced at once and the fighting began About ten minutes later the retreat began with the order, "Men to their horses' The Indians are in our rear!" One of the captains gave the order and in a minute the men were on their way across the river

Girard made a correction in his testimony as to the time when the command began to retreat Saturday he said "ten minutes after one" He now said ten minutes after two This explained Reno's delay of an hour in getting to Custer Girard was sharply interrogated concerning this change of testimony, and said he had yesterday refreshed his memory by reading an old correspondence on the point He believed his memory had not failed on other points It was not an act of cowardice for Reno's troops to move out of the timber, but he believed they would have been safer to remain

The court here adjourned, it being announced that Major Reno might summon the two witnesses he desired

DEADWOOD'S POPULATION AND WEALTH

Deadwood Times

Deadwood, the metropolis of the Black Hills, contains 6,000 inhabitants, 500 business firms, churches, schools, and numerous secret organizations The assessed valuation of the three counties composing this region has increased from $300 000 two years ago to over $3,000,000 to day, without taking the mines into consideration The Black Hills settlements number about fifty, and are scattered over a region of 6,000 square miles in extent, lying between the south and north forks of the Cheyenne river There were 15,000 passengers carried to and from the Hills during the past year by the stage lines, and the mail which arrives at Deadwood, amounts to 500 pounds daily These stage lines employ 200 experienced stage men, 1,000 animals and 50 fine Concord coaches, and have a capital of about $500,000 invested

A FIRE AT OMAHA

Omaha, Jan 20 —The Occidental hotel, formerly the City hotel, on Tenth street, was burned at 1 o'clock this morning, with Schultz' cigar factory and Henry Rosenfeld's clothing store The hotel was unoccupied, the landlord, Meyers having made an assignment and moved out, leaving the furniture which with the hotel was the property of Pundt & Krug The hotel was a three story frame structure with a frontage of 66 feet and a depth of 120 feet, built ten years ago by F Lammersdorf It cost $20 000 uninsured, except $1,500 dollars on the furniture Schultz' loss is $1,000, insurance, $500 Rosenfeld's loss on the stock is about $2 000, insurance, $1,500 The Rosendfeld building was owned by Joseph Robbins, now in England, and is believed to be uninsured

THE ARMY APPROPRIATION BILL.

Washington, Jan 21 —The army appropriation bill has been completed for a week past, but has been withheld in order that the friends of the bill agreed upon by the joint committee on the reorganization of the army, might have an opportunity of testing the sense of the house on their measure The committee to day, however authorized Mr Atkins to report the bill to the house It incorporates the measure that originated in the sub-committee presided over by Mr Hewitt which proposes to reduce the number of officers, both line and staff, about 20 per cent and leaves the maximum, 25,000 for rank and file unchanged

O'NEILL CITY RELICS

An Amateur Scientist Finds Something Which Bothers His Understanding

Correspondence Niobrara Pioneer

Once again I knock at the door of your sanctum with scroll in hand, and ask for a little space in your valuable Pioneer, not for an itemized packet of news, but simply that I may describe a relic of by gone civilized warfare and enter the field of antiquity for the purpose of inquiring after a lost tribe or race—it may be of Indians

Having recently visited Mr Olando Dutcher on Eagle Creek, and in the course of a conversation on Indian life, manners and customs, he asked me if I had ever seen the "breast works" on a hill near his house, and on answering him in the negative he said he would show them to me the next morning which he did

The fortress for such indeed it appears to have been is situated a little back from the crest of a long, low hill or bluff rising over and commanding the passage of the Eagle valley The hill is probably a mile and a half long and about a quarter of a mile wide, and is overlooked by a piece of high land, which is about 25 or 30 feet higher still The "breast works" are nearly circular or rather oval shape and cover an area of about three acres The walls will now average about 2½ feet in height, and are from 8 to 12 feet in thickness and are covered with close sward grass The material for building the walls has been dug from the outside, and from the apparent unevenness of the surface surrounding the wall, for about 30 or 40 feet, it is evident that the spade was the instrument used in its construction Though Mr Dutcher has ploughed some of the ground covered he did not find anything to indicate the nature of the construction, the time of said construction or by whom it was built, but he tells me that in exploring a similar old fortress in Cedar county they found little piles of rocks from the size of a hen's egg to that of a goose's, inside of the enclosure And they also found a hammer made of a peculiar kind of stone, tapering down to both ends with a "belt ridge" in the middle, for the purpose, I suppose, of being held and worked by means of a withe It appears that the rocks have been used as armaments by the peculiar people who inhabited those old fortresses Though the use of such rude materials of war as broken rocks is an argument to show that those people were uncivilized, but on the other hand, when we take into consideration the fact that they built strong and substantial forts, and were conversant with the use of the spade, we are forced to admit that they knew something of even the white man's civilization These 'works' are certainly not the work of the Sioux, the Poncas, the Santees, the Yanktons, the Omahas or any other tribe of Indians with whom we are acquainted, excepting it might be of some half civilized tribe of Mexicans, or the lost 'mound builders' of the past This Eagle fortress reminds me of the 'Danish Raths' of Ireland, built in the tenth and eleventh centuries, only they are so much smaller, and, while it has four entrances, they have only one Another point of difference is that the "Raths" are built on the top of the highest hills Now the questions to be solved are When were these fortresses built? Who built them? Were the builders civilized, and if so, where are they now, or rather, where are their descendants? Hope you'll pardon me for troubling your readers with this long and rambling letter

ALPHA

JOHN VASSAR'S ARREST

The Distinguished Train Robber Belongs to Iowa and Not to Dakota

Sioux City Journal

Mention was made in The Journal, of Thursday, of the capture on the Saturday previous at Maquoketa, Iowa, of John Vassar, who is one of a party who wrecked a train on the Union Pacific road several years ago, and subsequently killed two officers who were in pursuit of the gang A detective has been on Vassar's track for about a year and a half It was ascertained that he had relatives in Dakota, and the detective went to the locality in which they lived to hunt for the criminal But Vassar in some way found out that he was being tracked and left the country It was found that he was in the vicinity of Maquoketa, and a decoy money order was sent to him there from Sioux City, and he was apprised by a telegram, in the name of an intimate friend, that the money awaited his order at the post office in that place Vassar put in his appearance at Maquoketa on Friday evening of last week, stopped at a hotel over night It was his intention to catch an early train for Davenport, and so Saturday morning he called at the post office for his money, but was told by the clerk that it could not be given out until the postmaster came The detective who had closely followed the telegram, was sitting in the office, and the clerk turning to him asked him to step out and call the postmaster, the detective went out, posted his men, who were situated outside, and they closed in on Vassar At the point of several cocked revolvers he was told to throw up his hands He did so at once saying, 'Well, gentlemen, you have got the drop on me this time, but if I had my revolvers you would never have taken me alive" He undoubtedly told the truth, for revolvers were found in his overcoat pocket which he had left at the hotel He offered no resistance whatever, but quietly submitted to being manacled He was taken to Anamosa that day for safe keeping, and on Monday was taken to Council Bluffs, and from there to Laramie, W T, where he will have his trial Vassar was born in the vicinity of Maquoketa, and years ago went west to grow up with the country He is about 28 years of age

TELLER COMMITTEE TESTIMONY

A Few Samples of the Evidence Being Received in South Carolina

Charleston, S C, Jan 22—E N Pinckney, a colored minister (republican,) testified before the Teller committee to the existence of organized 'red shirts' in Williamsburg county, and also gave an account of alleged interference with a republican meeting at White Oak, when Smalls is alleged to have been captured by the democrats He gave a long account of the conduct of the election at King's Tree stating that the democrats refused the United States supervisor admission to the polls, and in the evening captured the ballot box and stuffed it He also relates his personal experiences, saying the "red shirts" were hunting him and had dug a grave for him He described his arrest, on a charge of perjury made by a democrat, as kidnapping and gave a detailed account of his being beaten and threatened the cross examination, however, eliciting the fact that these latter were the consequences of personal difficulties

John N Freeman, colored republican supervisor at Palmetto engine house, testified that the arrest by his order of democratic voters for repeating, resulted in witness being knocked down and kicked, but the interyention of democrats saved him from more serious injury When he returned to the polling place he found his poll list was gone Up to that time 915 votes were polled, and about two hours later when the polls closed, the total vote proved to be over 3,500 Witness saw the democratic tissue ballots stuffed into the box, and saw large numbers in the box when it was opened Witness saw numbers of persons voting tissue tickets He knew of no ostracism of colored democrats by republicans, and thought the ostracism was just the other way

At the close of the examination of this witness the ballot boxes were opened by the committee, and no ballots were found in the box used at the Palmetto engine house At two other polls one box was examined and the whole were then given to the committee of republicans and democrats for examination, and report as to the number and kind of ballots therein

A W Green, colored, republican deputy marshal at Palmetto engine house, testified as to the fight in which Freeman was struck The ballot box when opened was half full of tissue ballots Stayed at the poll until the count was finished in the morning Witness saw full sized democratic ballots with tissue tickets folded up in them in the box Pretty nearly all the tissue tickets were put up in that way There were more ballots in the box than names on the poll list and one of the democratic clerks was at work through the night adding names to the poll list to make the numbers agree

NEIGHBORHOOD NEWS

The ladies of Gary have a library association

The ministers of Ponca are preaching about 'hard times"

Skating is freely indulged in on the island park, Sioux Falls

A new bridge is being built across the Sioux river at Sioux Point

T G Maxwell has been appointed deputy sheriff of Hutchinson county

Singing schools and club dances are all the rage in Gary, Deuel county

James Staley's residence two miles east of Ponca was burned on Tuesday

A well froze over at the depth of 16 feet, near Ponca, during the late cold spell

There have been several cases of diptheria in the neighborhood of Scotland

The Hutchinson county jail to be built at Olivet will be completed by the first of March

Mrs Maggie Bailey, the widow of Mark Bailey, has been appointed post mistress at Canton

There is to be a first class dramatic entertainment in Sioux Falls some time this month

A literary and debating society has been organized by the young men of Ponca, Nebraska

Arrangements are being made for the establishment of a money order office at Gary, Deuel county

A list of numerous contested claims in the Sioux Falls land district is to be published next week

A reunion, supper and dance by the old settlers of Goodwin, Deuel county, will occur on Thursday night

Malignant diptheria is raging in the northern part of Union county Many deaths have resulted so far

The county board of Lincoln county have designated the Sioux Valley News as the official paper of the county

Canton Advocate The depot builders commence the erection of the depot to day, also the round house and water tank

Telegraphic communication has been established between Beloit and Sioux City Rates, twenty five cents for ten words

The death of Mrs McDonald at Sioux Falls was a grief to the whole community where she had resided for nearly six years

The house of A A Poster, of Ponca, Nebraska, caught fire Saturday night but was discovered before much damage was done

J W Poster esq, of Ponca, delivered a lecture in the Methodist church on the eccentric subject of 'Scape Goats and Moral Currency"

The ladies of Lincoln Center and vicinity will give a donation to the Rev V B Conklin, at his residence, on the evening of January 23d

Ponca Advocate Two of Mr Bandt's children, a boy about four years old and a little girl, died of diptheria, the one on Friday and the other on Sunday

The Congregational Sunday school at Sioux Falls has had a gift of nearly two hundred volumes to add to its Sunday school library, from a Congregational Sunday school in Genesee, Ill

Canton Advocate John M Carpenter the contractor for carrying the mail from Beloit to Sheldon, has received orders from the department to deliver the mail at Pattersonville instead of Sheldon

Canton Advocate Messrs Falde and Hanson returned from Sioux City Saturday Mr Falde has deposited with the postmaster at Sioux City, the amount deficient, and the government is made good in all its demands

Sioux Falls Independent, The Rev J A Palmer, of Valley Springs, has been having a rumpus with his wife, and is accused of introducing "variations" into the marriage tune Wonder where his call to preach the gospel came from?

There was a double wedding in the Lutheran church, near Olivet, on the 12th inst A dinner was served in honor of the occasion At the conclusion of the dinner a hymn in the German language was sung by upwards of sixty German voices

Canton has a literary society composed entirely of members of the district school They have given one public entertainment, delighting a large audience, and have another in contemplation, to which a general invitation is given

Sioux Falls Pantagraph Two new postoffices have recently been established on the Skunk Lake—Tiopi and Brant Lake This makes over sixty offices which send their out going mail in bulk to Sioux Falls for distribution, and whose incoming mail also comes here in bulk for distribution to them Four large mails have to be handled here every day inside of two hours, making this one of the most important offices in the territory and yet the pay is not equal to that given to some postmasters with not one quarter the business to do

THE RENO INQUIRY

Chicago Jan 21 —In the Reno inquiry to day some time was consumed in debate between counsel as to whether the witness, Girad had Indian children and whether testimony on that point was admissible The latter issue was decided in the negative

The witness testified that Custer, on seeing Reno moving away from the timber, shouted ' Who the mischief ordered out that command?"

Lieut C A Varnum quartermaster of the Seventh cavalry, testified that on the 25th and 26th of June 1876, he was second lieutenant in the command of a party of scouts under Custer On the 26th he was detached from the main troops, being away with the scouts He did not know what troops were assigned to Reno, but he had about 120 men He described the maneuvers of the forces The Indians were in greater forces than he had ever before seen He recounted the advance and retreat of Reno much the same as Girard had done, and said the horses and men were greatly fatigued The troops were badly demoralized on their retreat

Adjourned

Chicago, Jan 23 —A Cheyenne special says those killed by the Indians in the recent encounter are Sergeant Taggart, Farrier, Brown and private Nelson of company L, 3d cavalry, Sergeant Ambrose of company E, and the Indian scout, Woman's Dress, wounded severely and Capt Wessels slightly

Cincinnati, Jan 22 —McCreary has ordered the return of cavalry companies sent to Breathette county, they having performed the services that were needed They accomplished the arrest of Wm Fletcher, under indictment for the murder of Judge Burnett Judge Randall refused a continuance in the case of Jason Little

NEWS BY TELEGRAPH

From the Daily Press and Dakotaian

CONGRESSIONAL.

SENATE

Washington, Jan 22 —Mr Garland, from the committee on public lands, submitted a minority report on the claim of McGarragan, together with a bill placing all the claimants to Rancho Panoche Grande in California in the court of claims with the right to appeal to the supreme court Laid on the table, the bill and report to be printed

The house bill reported from the committee on finance yesterday to facilitate the refunding of the national debt was passed unanimously The bill now goes to the president

Mr Davis, of Illinois, introduced a bill to prevent and punish counterfeiting within the United States of notes, bonds and other securities of foreign governments Referred

While the senate was considering bills on the calender, Mr Edmunds moved to postpone their further consideration and take up his resolution declaring valid the 13th, 14th and 15th amendments Several senators objected, as Mr Blaine had given notice that he would speak to day on the naval appropriation bill

After some remarks by Mr Conkling in favor of Edmund's proposition, the senate rejected it and the consideration of the naval appropriation bill was resumed, when Blaine spoke in favor of his amendments submitted yesterday

Washinton, D C, January 24 —The vice president submitted a memorial from Elizabeth Cady Stanton, Susan B Anthony and other officers of the national woman's suffrage association, praying for the passage of a joint resolution proposing an amendment to the constitution prohibiting the states from disfranchising persons on account of sex Referred

Mr Sharon presented a resolution from the Nevada legislature favoring legislation preventing the Central Pacific railroad from making unjust discriminations and practicing extortion Mr Sharon urged that the people had rights to be protected by the government

Mr Salisbury called up his resolution calling upon the secretary of the treasury for information in regard to commissions paid bankers and others for regulating the sale of United States bonds, etc

Mr Morrill submitted an amendment providing that the information heretofore communicated to either house of congress shall not be repeated, but references to the document where the same is to be found shall be made and names of subscribers to popular loans since June, 1877, to whom no commission has been paid may be omitted The amendment was accepted by Salisbury and the resolution agreed to as amended

HOUSE

Bills were passed appropriating $60,000 for transportation of coin and bullion, and forty thousand dollars for miscellaneous expenses of the house

The senate amendments to the Indian appropriation bill were non-concurred in

Quite a stormy debate arose in regard to the southern claim bill, in the course of which Mr Bragg stated the south was solid for the democratic party, simply for the purpose of getting the money of the treasury It would be well for the northern democracy if southern democrats went over to the republican party, and he hoped they would do so

CAPITAL NOTES

Washington, Jan 22 —The Potter committee held a long private session this morning The democrats brought up the question whether St Martin should be called as a witness by republicans or discharged by the committee Mr Shellabarger, in behalf of Secretary Sherman, therefore presented a letter in which after criticising the course of the committee in not recalling St Martin on their own motion, he asked that St Martin be called for further cross examination on the testimony given in New Orleans, and on the affidavit which he recently filed with the committee The democrats manifested a disposition to acquiesce in the request, although still contending that the republicans ought to make St Martin their own witness The subject was however, laid over till to morrow

A member asked Where are those dispatches that were published in the New York Tribune? Hiscock thereupon expressed the belief that Gen Butler had them The general then made a statement that certain dispatches had come into his possession early last spring He found them upon his private table, but had no knowledge how they came there These dispatches, it was said, were part of those printed in the Tribune If so, he had nothing to do with their publication They had been furnished to the Tribune before they came into his hands During the summer they were missed for several weeks, and subsequently they were found again, when he had them numbered and stamped, and put in a place of safety He was willing to place them at the service of the committee In doing so he contended they should be printed and made public, or placed within the power of any member of the committee to make public At the same time he protested against the whole system of investigating dispatches, and insisted that it would be wiser for both parties not to inquire into them However, upon a proper receipt being given, the committee could have the dispatches that were in his possession

A short discussion followed as to whether it would be advisable to print the dispatches at once in pamphlet form, but that question also went over Adjourned till to morrow

Mr Potter says that a sub committee will be sent to New York to take testimony in the cipher dispatches investigation The number of cipher telegrams in the possession of Gen Butler, is 640

Washington, Jan 22 —Gen Sherman will soon start on a two weeks' tour of the south Atlantic states, the special object being to examine abandoned military posts and neglected property of the United States in Florida and at Atlanta, with the view of ascertaining what measures are necessary to secure the interests of the United States

Washington, Jan 23 —The subscription to the four per cent loan since yesterday's report were $9,089,600

Washington, Jan 23 —The senate committee on commerce had a long session to day without disposing of the New York customs nominations

Washington, Jan 22 —Upon the assembling of the Potter committee to day, Mr Butler said if he made a statement yesterday to the effect that the cipher dispatches were in his possession all last summer and that at one time he missed them from his desk, he must have been insane, been drunk or insane, [laughter] What he did say yesterday was to show the impossibility of the dispatches printed in the Tribune coming from Hiscock

Hiscock—Yes, I had good reason to believe the telegrams were copied for the Tribune before they came into your hands

Ziebina Moses, clerk in the office of the secretary of the senate and formerly private secretary to Vice-President Ferry, remembered the burlesque certificate from Louisiana, called the Smith certificate It was suppressed without objection Did not know what became of it Last saw it in official letters Did not remember that there had since been any application for it

The committee then held a secret session

Washington, Jan 23 — Representative Finley has submitted to the committee on public expenditures his report with reference to the investigation of the government printing office After charging general extravagance the report recommends the abolishment of the printing office and that the printing be let to the lowest bidder The report proposes that only the Congressional Record and the bills offered in either house be printed in Washington

Washington, Jan 24 —The house judiciary committee agreed to report favoring the bill to authorize Ohio, Indiana and Illinois to bring suit in the supreme court for the recovery of what is commonly known as the 2 per cent fund

The senate committee on nominations decided to report adversly the New York custom house nominations

Washington, Jan 24 —The subscriptions to the 4 per cent loans since yesterday's report are $2 795,100

Want of time compels the committee on commerce to postpone further consideration of the bill to give registers to foreign built ships purchased by American citizens

Washington, Jan 24 —In the Potter committee yesterday, the resolution of Representative Reed, providing that Tilden be allowed to be represented at the meetings of the committee by counsel was debated instead of accepted, as stated in report last night The democrats all voted to table the resolution against Butler being silent

Washington, Jan 24 —A cabinet session, one of the longest in duration which has been held for years, was held to day All the members were present There was considerable discussion of the pension bill and Indian affairs, and Sitting Bull was much discussed

HOME NEWS

Albany, New York, Jan 22 —In joint session of the senate and assembly to day Roscoe Conkling was declared United States senator

Hartford, Conn Jan 22 —The declaration of the election of Orville H Platt as United States senator was made in joint session to day

Madison, Wis, Jan 22 The republicans nominated Matt H Carpenter for United States senator by acclamation this morning This secures his election

Milwaukee, Wis, Jan 22 —The joint convention of the senate and assembly at Madison to day elected Matt H Carpenter United States senator, to succeed T O Howe, the vote standing, Carpenter, 81, Ryan, 28, Bouck, 13

Harrisburg, Penn, Jan 22 —The election of J Donald Cameron to the United States senator was proclaimed to day in joint convention of both houses

Springfield, Jan 22 —Both houses met in joint session at noon The galleries and lobbies were crowded All the senators except six answered to their names The proceedings relative to he senatorial election in both houses yesterday were read, and the speaker announced that John A Logan had been elected Gen Logan was received with cheers He said that the canvass of his competitor, Gov Oglesby, himself was conducted upon terms and of interest and courtesy, and had left none but the most kindly recollections of his honored opponent

He referred to the great honor that had been done to him by the people of Illinois The present manifestations of their confidence would be cherished as the most precious jewel in the casket of all his earthly possessions The high honor was rendered vastly great in its double aspect of an honored trust and a personal indication [applause] No public man could hope to escape the shafts of envy, malice and disappointment, but life was too short to allow it to be interrupted by the triflers who loiter upon the world's busy highway [applause] He promised to do all in his power to hasten the return of business prosperity Resumption was an accomplished fact, and the republicans will stand by the proposition that all paper currency should be convertible into coin of the option of the holder His efforts would be to uphold and protect citizens in their guaranteed rights wherever they may be and to maintain the laws of the United States in all parts of our country by pledging himself to give a faithful account of his stewardship and do all in his power to promote the best interests of the whole country [Applause]

Chicago, Jan 12 —In the Reno inquiry Lieut Varnum testified that he thought Reno took the best possible position after he left the woods with his command, but there were hardly enough men to hold it Reno, however, created a diversion in the Indian village The Indians must have attacked Custer about the time Reno left the woods, but witness thought the main fighting force of the village was opposing Reno He saw Custer's gray horse company moving along the bluffs down the river at about the time the skirmish line was formed It was three-quarters of a mile away An hour later Col Benteen joined Reno over the hill, and at about the same time witness heard firing away down the stream, but it was a crash and did not sound like a continuous engagement. At that time he did not think it came from Custer, but thought it might be the Indians in the village When he saw the gray horse cavalry he thought Custer was making a detour to strike the other end of the Indian village

Chicago, Jan 23 —Lt Varnum was cross-examined this morning regarding the Custer massacre, and testified that the gray horse cavalry which he had mentioned must have seen that Reno's command was entering in engagement with the Indians and Custer must also have known that they were at bay, and in witness' judgment any careful commander would have inquired into the situation of the troops from which he expected support There was no misunderstanding between Custer and Reno previous to this time The Indians were probably not less than 4,000 to 5,000 strong and half of that force was too great for half the whole command He thought Reno was right in using his own judgment in getting to the woods

THE BEST OF ALL LINIMENTS FOR MAN OR BEAST.

When a medicine has infallibly done its work in millions of cases for more than a third of a century, when it has reached every part of the world, when numberless families everywhere consider it the only safe reliance in case of pain or accident, it is pretty safe to call such a medicine

THE BEST OF ITS KIND.

This is the case with the Mexican Mustang Liniment. Every mail brings intelligence of a valuable horse saved, the agony of an awful scald or burn subdued, the horrors of rheumatism overcome and of a thousand and one other blessings and mercies performed by the old reliable Mexican Mustang Liniment.

All forms of outward disease are speedily cured by the

MEXICAN

Mustang Liniment.

It penetrates muscle, membrane and tissue to the very bone, banishing pain and curing disease with a power that never fails It is a medicine needed by everybody, from the *ranchero*, who rides his

MUSTANG

over the solitary plains, to the merchant prince, and the woodcutter who splits his fo t with the axe

It cures Rheumatism when all other applications fail

This wonderful

LINIMENT

speedily cures such ailments of the HUMAN FLESH as Rheumatism, Swellings, Stiff Joints, Contracted Muscles, Burns and Scalds, Cuts, Bruises and Sprains, Poisonous Bites and Stings, Stiffness, Lameness, Old Sores, Ulcers Frostbites, Chilblains Sore Nipples, Caked Breast, and indeed every form of external disease

It is the greatest remedy for the disorders and accidents to which the BRUTE CREATION are subject that has ever been known It cures Sprains, Swinny, Stiff Joints, Founder, Harness Sores, Hoof Diseases, Foot Rot, Screw Worm, Scab, Hollow Horn, Scratches, Windgalls, Spavin, Farcy, Ringbone, Old Sores, Poll Evil, Film upon the Sight and every other ailment to which the occupants of the Stable and Stock Yard are liable

A twenty five cent bottle of Mexican Mustang Liniment has often saved a valuable horse, a life on crutches, or years of torture

It heals without a Scar. It goes to the very root of the matter, penetrating even the bone.

It cures everybody, and disappoints no one It has been in steady use for more than twenty five years, and is positively

THE BEST OF ALL LINIMENTS FOR MAN OR BEAST.

HARDWARE

Mammoth

HARDWARE

STORE

Wynn & Buckwalter

WHOLESALE

And Retail Dealers in

HARDWARE, STOVES AND TINWARE.

Fence Wire
Carpenter s Tools
Wooden Ware
Clothes Wringers
Miners' Tools

BUCKEYE

MOWING AND REAPNIG

MACHINES

Plows and other Agricultural Implements.

Shelf Hardware,

Of every Description

IN STOVES We have the best assortment and quality They cannot be surpassed in any desirable point

Good, Strong and Substantial

TINWARE MANUFACTURED

Broadway, Yankton

TRADE MARK 'VIBRATOR' Reg March 31, 1874

THE ORIGINAL & ONLY GENUINE

"Vibrator" Threshers,

WITH IMPROVED

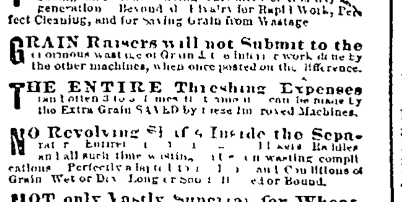
MOUNTED HORSE POWERS,

And Steam Thresher Engines,

Made only by

NICHOLS, SHEPARD & CO.,

BATTLE CREEK, MICH.



THE Matchless Grain-Saving, Time-Saving and Money-Saving Threshers of this day and generation Beyond all Rivalry for Rapid Work, Perfect Cleaning, and for Saving Grain from Wastage

GRAIN Raisers will not Submit to the enormous wastage of Grain & the inferior work done by the other machines, when once posted on the difference.

THE ENTIRE Threshing Expenses (and often 3 to 5 times that amount) can be made by the Extra Grain SAVED by these Improved Machines.

NO Revolving Shafts Inside the Separator Entirely free from Beaters, Pickers, Raddles, and all such time-wasting and grain-wasting complications Perfectly adapted to all Kinds and Conditions of Grain, Wet or Dry, Long or Short, Headed or Bound.

NOT only Vastly Superior for Wheat, Oats, Barley, Rye and like Grains, but the ONLY Successful Thresher in Flax, Timothy, Millet, Clover and like Seeds. Requires no "attachments" or "rebuilding" to change from Grain to Seeds.

MARVELOUS for Simplicity of Parts, using less than one-half the usual Belts and Gears Makes no Litterings or Scatterings

FOUR Sizes of Separators Made, ranging from Six to Twelve Horse size and two styles of Mounted Horse Powers to match

STEAM Power Threshers a Specialty A special size Separator made expressly for Steam Power

OUR Unrivaled Steam Thresher Engines, with Valuable Improvements and Distinctive Features, far beyond any other make or kind.

IN Thorough Workmanship, Elegant Finish, Perfection of Parts Completeness of Equipment, etc., our VIBRATOR Thresher Outfits are Incomparable.

FOR Particulars, call on our Dealers or write to us for Illustrated Circular, which we mail free.

PROBATE NOTICE

In the Matter of the Estate of ADALINE SEOBOLD, Dec'd,

In the Probate Court of the County of Yankton, Territory of Dakota

NOTICE IS HEREBY GIVEN, That George W Roberts has filed with the probate judge of Yankton county D T a petition praying that the last will and testament of said Adaline Seobold deceased, be admitted to probate and that letters of administration with the will annexed be issued to him, and that Monday, the 3d day of February 1879, at ten o'clock a m of said day at a special term of said probate court of said county of Yankton, appointed to be held at the probate court room, in the city and county of Yankton, D T has been fixed as the time and place for proving the will of said Adaline Seobold deceased and for hearing the application of said George W Roberts for the issuance to him, of letters of administration with the will annexed, when and where any persons interested may appear and contest the same

Dated January 6th, 1879

[L S] L CONGLETON, Probate Judge

n38-4w

NOTICE

U S LAND OFFICE, Yankton, Dak Dec 28, 1878

Complaint having been entered at this office by Joseph Konig against Ole Nielsen for abandoning his homestead entry No 938 dated Jan 19th 1875 upon the w½ nw¼ and e½ nw¼ section No 9 township No 93 north range No west in Yankton County Dakota Territory with a view to the cancellation of said entry The said parties are hereby summoned to appear at this office on the 4th day of February 1879 at 9 o'clock a m to respond and furnish testimony concerning said alleged abandonment

G A WETTER Register
LOTT S BAYLESS Receiver

37-4w

NOTICE

U S LAND OFFICE, Yankton Dak January 3d 1879

Complaint having been entered at this office by Edward Lamson against John Mitchell for abandoning his homestead entry No 1741 dated March 27th 1878, upon the e½ of se¼ section 20 and w½ sw¼ section 21 township No 95 north range No 56 west in Yankton county, Dakota Territory with a view to the cancellation of said entry The said parties are hereby summoned to appear at this office on the 5th day of February 1879, at 10 o'clock a m, to respond and furnish testimony concerning said alleged abandonment

G A WETTER Register
LOTT S BAYLESS Receiver

n38 4w

NOTICE

U S LAND OFFICE, Yankton Dak Dec 31 1878

Complaint having been entered at this office by Johann Konig against Hanne Andresen for abandoning her Homestead Entry No 1790 dated April 15th, 1878 upon the w½ of the se¼ and e½ of sw¼, sec 4 township No 93 north range No 57 west in Yankton Co Dakota Territory with a view to the cancellation of said entry The said parties are hereby summoned to appear at this office on the 4th day of February 1879 at 2 o'clock p m to respond and furnish testimony concerning said alleged abandonment

G A WETTER Register
LOTT S BAYLESS Receiver

n37-4w

PROBATE NOTICE.

In the probate court of the county of Yankton territory of Dakota.

In the matter of the estate of CHARLES G BROWNE Deceased Notice for posting of application for letters of administration

NOTICE is hereby given that William W [illegible] has filed in this court his petition praying for letters of administration of the estate of Charles G. Browne deceased and that Saturday the eighteenth day of January A D 1879 at ten o'clock a m of said day at the court room of said court in the city of Yankton in the county of Yankton, D T has been set for hearing said petition when and where any person interested may appear and show cause why the said petition should not be granted

Dated December 28th, 1878

L CONGLETON, Probate Judge

37-3w

Press and Dakotaian

—ESTABLISHED 1861—

WEEKLY EDITION.

Subscription Price, . . $2 per year

ADDRESS

BOWEN & KINGSBURY

YANKTON, - - DAKOTA

Thursday, January 30, 1879

The Sioux City Journal decides that Governor Howard is guilty But there is a higher court than the Journal

The new pension bill will take from the treasury from $50,000,000 to $70,000,000; but it is a measure that must meet the approval of every good citizen

Democrats in the senate have resorted to filibustering to evade a vote on Edmunds' resolution declaring the validity of the thirteenth, fourteenth and fifteenth amendments

Captain Wessells is being investigated as to the propriety of killing the Cheyennes This will doubtless be satisfactory to Red Cloud and Spotted Tail and other eminent bucks

Fairbanks & Co offer to furnish the post office department with letter scales without charge This was the most effective way they could think of for underbidding their competitors, the Howe Scales company

A firm at the east largely engaged in the manufacture of reapers, which now has outstanding in Dakota $100,000 in notes, expresses its willingness to sacrifice the entire amount and begin business anew with our people if the present exemption law be done away with

The comptroller of the currency has called for a report of the condition of the national banks at the close of business January 1, 1879 The report is called for that date for the purpose of obtaining as nearly as possible the condition of banks on the day of resumption of specie payments

The senate committee on judiciary have considered and reported favorably the bill introduced by Senator Christiancy to carry into operation the recent decision of the supreme court affirming the constitutionality of the anti polygamy law of 1862, and an attempt will be made to pass it this session

A Washington elegram says The new pension bill and its exhaustive effect on the treasury continues to occasion much alarm in the department Secretary Sherman is supported by every member of the cabinet in his views on this subject There is universal regret in government circles that the bill passed, but the president will not veto it

The board of supervising inspectors of steamboats have decided to amend the rules so that local inspectors at their annual inspection of steam boilers shall remove from the surface of such boilers as are covered so much as is necessary to enable them to examine such parts of the boilers as cannot be properly examined from the inside

It is a fact which bothers many of our economists that articles of common necessity are very much higher in price in Dakota than in the states One explanation of the cause is the existence of laws within our territory which render the collection of debts practically impossible The protection our statutes extend to our citizens is proving injurious to those whom it aims to benefit The dealer sells his wares on credit or does not sell them at all Indebtedness thus incurred is absolutely non collectable unless the party purchasing possesses sufficient honesty to square up his account Wholesale merchants at the east fully understand the situation here and in order to secure themselves as much as possible against loss through disasters which may come to our local dealers they are compelled to charge a large advance upon current prices. Thus it happens that while all merchandise at the east is down to bed rock prices, the people of Dakota do not enjoy the advantage of this material reduction They are compelled to pay tribute to an enactment which they imagine is a protection This condition applies to all classes of farm machinery and wagons, as well as to articles of household use It will be better for our people to consider both sides of this question

A DISTURBING RESOLUTION

There was a resolution introduced into the upper house of the Dakota legislature yesterday, by Mr Pettigrew, which declares that E A Sherman "ought to be reappointed territorial treasurer, as a recognition of 'his integrity and ability," etc Mr Pettigrew recited in his remarks upon this resolution that "tardy justice had been wrong 'from his (Mr Sherman's) assailants," and then opened up a batch of similar bosh all of which implied that Mr Sherman had been persecuted by the governor of the territory in his late message A resolution so extraordinary in its nature would hardly have been in place at any time, and is most decidedly out of place under existing circumstances It is the beginning of an attempt upon the part of Mr Pettigrew to precipitate a conflict between the executive and the upper house of the legislature Mr Pettigrew desires, in his opening efforts, to prevail upon the council to commit itself to his scheme, which is to resist the nomination for treasurer of any other man than E A Sherman He knows very well that the governor will not appoint Mr Sherman, and his only other alternative is to so antagonize the confirming power and the nominating power that no appointment can be made, in which event the present incumbent will hold over We have no personal objections to the continuance of Mr Sherman as treasurer, as we have always looked upon him as a gentleman of integrity and capability But the attempt of Mr Pettigrew to commit a legislative body to his individual views is a subject which demands a thorough ventilation and a most earnest protest. That he can accomplish this is the assumption of an egotist whose boast it is, figuratively speaking, that he holds men within the hollow of his hand and has only to close his digits to cause them to squirm in any direction he may dictate There are twelve other men in the council besides Mr Pettigrew—men of good judgment and unbiased views It is this twelve through which Mr Pettigrew seeks to bulldoze the governor of Dakota—an official who is intellectually and morally the peer of the best in all this land—and dictate to him what appointment he shall make and what appointment he shall not make It is the undoubted province of the council to enquire into the character and qualifications of an appointee from the executive office, and to make that enquiry in a careful and dignified manner, to the end that the best interests of the people may be subserved But the wisdom of that body can be best exemplified if it remain unfettered by any previous committal in the interest of personal ends It is therefore to be hoped that the disturbing resolution introduced by Mr Pettigrew may be set aside and the members of the upper house of our legislature left to follow the dictates of their own judgments and their own consciences.

The animus of that which has been designated as the confederate element of the democratic party—namely, the persons sent from the southern states to seats in congress was very suddenly developed in the national house of representatives a few days ago, the occasion being the speech of General Bragg, of Wisconsin, himself a democrat, against the efforts on the part of southern leaders to secure payment for claims made against the general government for property destroyed during the war of the rebellion As this class of democrats have gained numerical strength, so have they gradually insinuated their demands upon the national treasury for recompense for their disloyalty The effort has finally become obnoxious to the loyal portion of the democratic party, and the result is that General Bragg, himself a soldier of renown under the national banner, has finally cut loose from the traces of party harness, and has expressed himself in terms of just indignation upon the subject of the pet scheme of his southern brethren The more conservative members of the northern democratic party are endeavoring to smooth over matters and hold together the refractory elements of their rapidly dissolving political organization, but the impulsive utterances of General Bragg have kindled a heat which is rapidly consuming traditional party ties and inviting chaos where nothing but order can prevail against the opposition of once more united republicanism These southern claims are the opening wedge of that moral force which must finally create a breach between the loyal and disloyal elements of this country, and those who gather on either side of the chasm now being created must toe the line of sectionalism, regardless of previous party predelictions

Touching upon Governor Howard's allusion in his message to the practice indulged in by probate judges of shipping paupers to the lunatic asylum at the expense of the territory, the Deadwood Times says

That looks a little as though his excellency was giving a sly dig at Lawrence county—probably he had heard of the negotiation for those sleeve buttons and shirt pins—whereby the guard that was appointed to convey the lunatics to the asylum, as a testimonial of their distinguished consideration of the distinguished judge of probate who had appointed them to so distinguished a responsibility, entered into the purchase of some valuable sleeve buttons and shirt studs for $100 to $125 to present to his honor'

The editor of the Sioux Falls Independent says he intends to do the best he can and leave the balance to 'Him who tempers the wind to the shorn lamb, and then he pitches into the "Yankton ring" and the Press & Dakotaian with all the avidity of a muscular sinner The shorn lamb has been having a hard time of it since its two hundred dollars of democratic money was consumed in the purchase of the necessaries of life

Senator Saunders and several other senators are in favor of authorizing the president at his discretion to turn over to the war department the control of any tribe or tribes that may be in rebellion, or giving trouble, or such tribes as the president might think best at this time Senator Saunders is in favor of having the Sioux transferred at once with the reservation that such transfer shall not effect the schools or farming interests

WESSELL S LAST FIGHT

Details of the Bloody Affair by Which the Remnant of the Cheyenne Band Was Conquered

Fort Robinson, Neb, Jan 23—Couriers who arrived this morning confirm the news received late last night of the battle between Capt Wessell s command consisting of four companies of the Third cavalry, and the escaped Cheyennes yesterday morning The trail was discovered leading in the direction of a large range of hills some eighteen miles northwest of Bluff Station, a distance of forty six miles from this post, and was followed by Capt Wessell until he was within three miles of the hills, where he halted and formed skirmish lines, all four companies being deployed as skirmishers, company F, Lieut Baxter moving from the south to the northeast side, company H, Captain Wessells, directly opposite, company E, Captain Lawson, closed in at the mouth of the ravine where the Indians had entrenched themselves and company A, moved to their rear, thus hemming them in on all four sides, leaving no possible avenue of escape The Indians had placed themselves in a deep washout, keeping under cover As soon as the skirmishers were within 150 yards of the savages' stronghold, the latter opened a deadly fire, killing Sergeant Taggart, privates Brown and Nelson of company A and dangerously it not fatally wounding private Dubоise of company H Despite the dreadful volley poured into the troops they steadily advanced and when within seventy-five yards of the savages' position, fire was ordered on all sides with terrible effect. At this moment Capt Wessells, leading his company and loudly cheering them forward received a slight scalp wound from a pistol in the hands of one of the blood thirsty Cheyennes rendering him completely insensible

Lieutenant Chase, commanding company A, seeing the commanding officer fall rushed forward, instantly seized Capt Wessells and carried him beyond range of the enemy s fire Then dashing to the head of his own company, gallantly led them to the very edge of the washout, where they fought the enemy with unabated fury

Meanwhile the intrepid Wessells having regained consciousness, again came to the front, and seeing the ground strewn with the dead bodies of the savages implored his men to cease firing, with a view to getting the remaining Cheyennes to surrender, but the latter stubbornly refused, rushing at the troops with formidable hunting knives, having expended all their ammunition, determined to surrender to death only But ere they had advanced many paces they received a volley from the troops and all was over Companies F and E were in a bad position to accomplish much, while Colonel Evans with companies B and D remained on the opposite bluff from where Capt Wessells started, and not knowing the position of Wessells' command arrived too late for action

On the cessation of the firing the dead bodies of twenty three Indians were found in the rifle pits occupied by them, including seventeen bucks, four squaws and two papooses Nine remained, of whom one buck and five squaws were more or less wounded and three squaws unhurt

Of the troops but the three heretofore mentioned were killed and Capt Wessells and one private of his company wounded The latter cannot live

Ambulances left here at an early hour this morning to bring in the dead and wounded and are now moving back slowly and are expected here with the troops tomorrow morning

THE CARE OF THE INSANE

Deadwood Times

The time has come when Dakota must provide for the care and confinement of her own insane At the close of the last legislature there were only seven persons in the territory confined as lunatics—now there are some over twenty Our insane have been confined heretofore in a Minnesota asylum, but official notice has been received that the asylum of Minnesota was full of patients of their own, and by the 1st of February, 1879, we must remove our insane Neither Nebraska or Iowa had any room to spare, and application to several states east, failed to find a place where our insane could be sent The question as to what could be done with these unfortunate people demanded immediate attention, and the erection of such a building put into such a state of forwardness that the legislature could complete it in time to receive the patients The work was undertaken by the governor upon his own responsibility and paid for from his private funds Of course the legislature will complete the work and reimburse the governor what he has advanced

THE RENO INVESTIGATION

Chicago Jan 23—Dr H R Porter of Bismarck, acting assistant surgeon under Custer, with Reno's battallion, testified that he heard the adjutant deliver to Reno the command to cross the ford and charge the Indians The adjutant told witness that Custer would support Reno Reno obeyed the order and the fight progressed with the Indians for a while, but finally the Indians made the charges and not the troops a fact which surprised witness

THE NEW PENSION LAW

The following is a correct copy of the new law, as we find it printed in the Congressional Record

Be it enacted, etc, That all pensions which have been granted under the general laws regulating pensions, or may hereafter be granted, in consequence of death from a cause which originated in the United States service during the continuance of the late war of the rebellion, or in consequence of wounds, injuries, or disease received or contracted in said service during said war of the rebellion shall commence from the date of the death or discharge from said service of the person on whose account the claim has been or shall hereafter be granted, or from the termination of the right of the party having prior title to such pension Provided, The rate of pension for the intervening time for which arrears pension are hereby granted shall be the same per month for which the pension was originally granted

Sec 2 That the commissioner of pensions is hereby authorized and directed to adopt such rules and regulations for the payment of the arrears of pensions hereby granted as will be necessary to cause to be paid to such pensioners, or, if the pensioners shall have died, to the person or persons entitled to the same, all such arrears of pensions as the pensioner may or would have been entitled to under this act

Sec 3 That section 4717 of the revised statutes of the United States, which provides that "no claim for pension not prosecuted to a successful issue within five years from the date of filing the same shall be admitted without record evidence from the war or navy department of the injury or the disease which resulted in the disability or death of the person on whose account the claim is made Provided, That in any case in which the limitation prescribed by this section bars the further prosecution of the claim the claimant may present through the pension office to the adjutant general of the army or the surgeon general of the navy evidence that the disease or injury which resulted in the disability or death of the person on whose account the claim is made originated in the service and in the line of duty, and if such evidence is deemed satisfactory by the officer to whom it may be submitted, he shall cause a record of the fact so proved to be made and a copy of the same to be transmitted to the commissioner of pensions, and the bar to the prosecution of the claim shall thereby be removed," be, and the same is hereby, repealed

Sec 4 No claim agent or other person shall be entitled to receive any compensation for services in making application for arrears in pension

Sec 5 That all acts or parts of acts so far as they may conflict with the provisions of this act be, and the same are hereby, repealed

MAT CARPENTER S REMARKS

On the Occasion of His Election to the United States Senate by the Badger Legislature

Mr Lieutenant Governor Mr Speaker, and Gentlemen of the legislature —I thank you from the botom of my heart for the high honor you have conferred on me This is not the time nor the occasion for making a speech And indeed I am in no condition to make one My heart is full of gratitude to the legislature of Wisconsin for the honor Following as it does, upon some unfortunate circumstances in my past history I appreciate it all the more now and I thank you all the more sincerely In this country we are divided into political parties, and everybody knows that I am a republican, and everybody knows that I shall act with the republican party in all its measures and in defending its principles to the utmost of my ability At the same, as a republican, and, acting in the harness of that party it will be my pleasure and my pride to do everything in my power to promote the interests of all the people of Wisconsin as faithfully as I can in the United States senate In the opening of the year the circumstances of the country are most prosperous The last remains of the war have been obliterated We have resumed specie payment, we are paying our debts in honest money, we are determined as a whole people to preserve the good faith and credit of the nation in the faithful and honest discharge of its obligations The effect of this resumption has been most fortunate It has produced what is called in inflation of prices It has started business already, and we may look forward in good hope to a return of what we call good times

I will not detain you, gentlemen, with further remarks on this occasion Again let me say, I thank you from the botom of my heart, and accepting the trust from the legislature of Wisconsin, I shall be willing to lay it down at any time when the legislature of Wisconsin say I have forfeited or disregarded the trust [Applause]

NEW YORK NOMINATIONS

The Latest in Regard to the Contest Between the President and Senator Conkling

Washington, Jan 22—The senate committee on commerce will meet to morrow morning, and will decide unanimously to report adversely upon the New York custom house nominations Senator Randolph, of New Jersey, is the only member of the committee who is favorable to confirmation and last week he asked permission of the senate to go to South Carolina and relieve Bayard as member of the Teller investigating committee It is stated that he took this method of avoiding a clash with Conkling, and to avoid bearing the brunt of the debate in favor of confirmation Ex-Deputy Collector Lydecker, of New York, arrived here late last night, bearing two large envelopes, which contained the answers of Arthur and Cornell to the charges of Secretary Sherman They will be submitted to the committee to morrow morning It is generally understood that both Arthur and Cornell are in town, but they cannot be found and, in reply to the question to day, Senator Conkling said "Yes I have heard so, but if they are here they have not called upon me" Secretary Sherman has been notified that the answers of Arthur and Cornell have been received, and if he desires to appear personally before the committee he can do so to morrow It is not believed the secretary will respond to the invitation It is stated by those who claim that the suspended officials are in Washington that it is Senator Conkling's intention to summon them to appear before the committee personally, but this is unusual and scarcely reasonable, and furthermore it is not necessary Senator Conkling will report adversely upon all three nominations to morrow, in executive session, and ask immediate action, but one objection to action will carry them over to Saturday Mr Conkling will also ask that the senate remove the injunction of secrecy from Secretary Sherman's statements and reply to Arthur and Cornell

POSTAL MATTERS

Washington, Jan. 24—The senate committee on postoffices and post roads to day authorized Chairman Ferry to offer as an amendment to the postoffice appropriation bill all postal legislation which was added to the house post route bill by the senate last session except the Brazilian subsidy The clauses of these legislative provisions relate to the classification of mail matter, the compensation of railroads, the franking privilege, and several other subjects of less importance

The principal items of the postoffice appropriation bill reported to the house from the committee on appropriations to day, are as follows

For compensation of postmasters	$ 7 570 000
For clerks in postoffices	3 400,000
For payment of letter carriers	1 900 000
For mail transportation on star routes	5 690 633
For transportation by railroads	8 715 310
For transportation by steamboat routes	750 000
For transportation by postal routes	12 500 000
For compensation to railroad postal clerks	1,350 000
Route agents	1 075 000
For transportation of foreign mails	260 000

It is provided that if the revenue of the department shall be insufficient to meet the appropriations made by this act, the sum of $4,291,319, or so much thereof is may be necessary, is hereby appropriated to supply the deficiencies in the revenue of the postoffice department for the year ending June 30, 1880 The sum recommended by the bill is $34,960,343 The total estimates upon which the bill is based were $36 571,900 Appropriations for the year ending June 30, 1879, were $33,256,373

MILITARY RESERVATION SALE

Red River Independent

The secretary of war has given orders that the military reservations of Forts Abercrombie and W H Seward be sold The first named lies 15 miles north of Breckinridge, on the Dakota side, and the other northwest of Jamestown—a short distance from the village These reservations embrace a large area of fertile lands, in fact, they both occupy fine localities for the purposes of trade, and if covered by actual settlers, they will start forward on a famous career of prosperity Let us hope that they will not be gobbled up by speculators

COL WOOD'S REPORT

Official Statement Regarding the Information Brought Into Cheyenne Agency by Runners from Setting Bull's Camp.

Chicago Inter Ocean

The report of Colonel W H Wood, of the Eleventh United States infantry corps, stationed at Fort Bennett, to Gen Gibbon, has been received It states that two Sioux Indians—"Black Wolf" and "The Fox"—came into the post on the evening of the 10th, from the main hostile camp, which they left a little over a month ago, for the purpose of ascertaining upon what terms their people could make peace and return to their agencies The former is an Ogallala, but has married and is living with the Minneconjou band The latter is a Minneconjou Both belong to this agency, which they left three years ago. The Indians at the agency believe that the hostiles are anxious for peace, and that those two messengers have been sent in by them for the purpose stated The story told by Black Wolf is that the two came from a large camp this side of the boundary line on Pale Moon creek, a tributary of Milk river, about four days ride from Fort Peck. It is impossible to say how many lodges were in that camp The Blackfeet alone had about 700 lodges The camp extends about fourteen miles The lodges are pretty close together The Indians cross the line at their pleasure, some of them drawing rations at Fort Peck The day before the two left, a council of all the Indians was held All the chiefs and leading men were present, among them were Uncpapas, Minneconjous, Sans Arcs, Ogallalas, Blackfeet, a few Brules, Cheyennes, Assinaboines, Bloods, Piegans, Nez Perces, Flatheads, Bannocks and Santees

The principal men in the council were "Sitting Bull," "Spotted Eagle," "Black Shield," and "Big Road" Sitting Bull said "When I look back southwest from here, I see my country where I formerly lived, I long to be back there again I find that warring is a very bad thing By that I lost my country, and caused my people a great deal of suffering From this day on I want to quit making war on the whites I hope to quit it forever I hope to have no more trouble with the whites, and I hope to make peace" This speech was well received by the council Other chiefs spoke in about the same strain

Sitting Bull proposed to send runners to the different agencies to find on what terms the Indians could come in This was agreed to by the other chiefs There was no opposition Sitting Bull and Big Road then selected thirteen messengers from the different bands They were each told to go to the agency to which his band belonged The instractions were the same to all, namely, to ascertain the conditions under which they could return to their agencies The messengers were told to tell nothing except what they were told to tell Sitting Bull was very anxious to let the great father know that he wished to make peace The messengers started together before the date of the report, and came as far as the Gros Ventre agency, at old Fort Peck agency, where they talked to the Indians there The agent said that he had heard that the Indians were all peaceable The weather was very cold, and the messengers suffered much from exposure

The Indians desire, contiues the report, to return to the agencies to which they belong There is no game in the British possessions, and that is the reason they are anxious to return They all moved over to this side about two and a half months ago There is more game on this side, especially between the Missouri and the Yellowstone The Indians are suffering for want of food

A party of young men who stole some horses from the Americans, and brought them into camp, were punished by the Indians with death This shows that the people are all for peace Sitting Bull said to the messenger before he left 'I believe you will have great difficulty in making the officers believe in your good intentions, but act like a man and then they may believe you"

If peace can be made, Swift Bird, Black Shield and Spotted Eagle want to return to the agency with their people There are about 500 lodges

The report is indorsed by Brevet Major General Gibbon

TONS UPON TONS OF GOODS!

Which Should Be Forwarded to Suffering Indians at the Agencies Above Bismarck

Bismarck Tribune Jan 20

The solving of the Indian question appears no nearer a successful termination than ever Abuses, the most glaring, creep out every day Not the least among the many which have been discovered in this immediate neighborhood, is one which should call for summary action on the part of the Indian bureau On an examination of *the freight houses at the landing*, any one may see tons upon tons of Indian goods received at this point during last fall destined for the up-river agencies, and comprising clothing, medical supplies, machinery, etc, etc, the requisitions for which, it is learned from some of the agents, were put in as far back as last April Many of these goods, the Indians are actually suffering for, especially the medicines and clothing, yet here they lay in the Bismarck freight houses and will lay until the opening of river navigation in the spring, or say for four months yet to come The fearfully cold weather which has existed here must damage more or less the medical supplies, and certainly render some of them useless, incurring a heavy loss As these are the articles which the government pays the highest prices for on contract, and which should be sent forward immediately, it is hard to say where the blame for this sorry state of affairs exists, but exist it does most emphatically The goods now here are destined eventually for the Lemmi, Crow, Blackfeet, Ft Belknap, Ft Berthold, and other agencies It is also said that the freight houses at Sioux City contain large amounts of Indian goods, under the same circumstances It has been stated that a large part of these goods were received during the month of December last, for shipment up the river which the veriest idiot would know was frozen nearly solid weeks before The railroad agent at Bismarck has stated that a few years ago goods arrived here the same way, and at his own expense he had the medicines stored in a frost proof place, the bills for which he settled out of his own pocket, and he yet awaits reimbursement therefor With such an existing state of affairs it is hardly reasonable to suppose that his patriotism would induce him to protect the goods under similar circumstances afterwards, and events have proved that he didn't Inspector Hammond would undoubtedly find a rich field for examination, were his footsteps to tend this way soon

THE UPPER MISSISSIPPI

St Louis, Jan 25—The weather for a few days past has been so mild, comparatively speaking, that the opening of the river here is looked forward to as something in the near future, and measures are being taken to preserve and protect, as far as possible, all crafts and steamboat property in the harbor With a view to this the harbor boat, E G Smith, was sent to work this afternoon breaking the ice at Chestnut street, and ploughed her way down through the gorge and disappeared around the bend in the course of two or three hours The river is pretty well blockaded between here and Carondelet, but the Smith will cut her way through to that point if possible and then, together with the transfer boat Bogy and several tugs, will break up the entire gorge below here to open water at Carondolet This will enable steamers, barges and other crafts to attain safer positions than they now occupy and will, give the very thick and dangerous ice of the gorge above the bridge free and rapid movement in and through the harbor when it breaks, and thereby greatly lessen the risk and danger to property along the shore The river has risen about eight inches the past two days and should this weather continue a few days longer the Osage, Gasconade and other streams having their rise in the Ozark mountains, will swell their ice bands, pour their floods into the Missouri and open that river with a rush This of course will sweep out the gorge above here and open the Mississippi to Cairo

CHIEF JOSEPH AFRAID

In his interview with the president the other day, Chief Joseph, of the Nez Perces, was asked what of all the works of civilization he had seen in this, his first trip to the east, impressed him the most It was expected that he would name that great "tepee" the capitol, but he replied without a moment's hesitation, that the most wonderful thing he had ever seen or dreamed of was the bridge over the Mississippi river at St Louis, and he went on to explain that he could scarcely believe his eyes when he looked at it He could build a mountain of stone like the capitol, be said, but he could not build a spider's web that would stand alone in the air He was afraid to cross it, but he saw that the pale-faces were not afraid, so he wrapped his blanket around him, and trembled as the train was going over.

NEIGHBORHOOD NEWS

There is to be a new bridge built at Lodi Flandreau, Moody county, supports two hotels

A new lumber yard has been started at Roscoe

Wood is hauled from Vermillion sixty miles north

Canton's liquor license is fixed for this year at $80

Fish are very numerous in the Sioux river at Rapids

The Big Sioux river is lower than it has been in years

The valentine epidemic has broken out in Sioux Falls

Considerable building is still being done in Sioux Falls

The Flandreau market is more than supplied with butter

Phil Clark has been made deputy sheriff of Moody county

Madison, Lake county is soon to have a paper of its own

There is a good opening for a livery stable at Bon Homme

District No 35 is the only lyceum district in Clay county

The schools at Vermillion are in a very prosperous condition

A number of cases of diptheria have occurred in Springfield

There is a rumor of a paper being established at Dell Rapids

Eighteen cars of grain were shipped from Vermillion in one day

As high as 63 cents was paid for wheat in Vermillion last Saturday

Congregational sociables are held every week or two in Vermillion

On Friday evening an educational meeting will be held at Richland

Business houses and dwelling houses are much needed in Bon Homme

A mail route between Oakwood and Gary will soon be established

Canton and Beloit are feeling wonderfully frisky over their new railroad

A telephone to communicate between Canton and Beloit is talked of

Revival meetings are being held in the Methodist church at Sioux Falls

A dramatic entertainment will be given at Flandreau some time this month

District No 11 Clay county, will build a large brick school house this coming season

Vermillion claims more cats and dogs than any other town in the northwest, of its size

Trouble about claims in Grand Forks county are settled with double-barreled shotguns

Several from Vermillion attended the dance at Ponca, Nebraska, on Friday eve ning

Finley & Morrison of Vermillion are putting in a drive well back of their hardware store

There are several cases of lung fever and chicken pox among the little ones at Sioux Falls

The postoffice at Red Lake has been closed, by order of the postoffice department

Revival meetings are in progress at Mill town, under the auspices of the Methodist church

A cow broke loose in a stable at Brookfield and killed two heifers beside injuring other stock.

Roscoe has grown in less than one year, from a single farm house, to a village valued at $20,000

The sum total of all investments made in the little town of Flandreau since April 1st, 1878, is $36,360

The Baptists of Sioux Falls are giving social entertainments, including singing, recitations, etc

The temperance people of Vermillion are holding monthly meetings, addressed by very able speakers

Ice cut from the Big Sioux river at Flandreau, Moody county, measures nineteen inches in thickness

People in Sioux Falls are burning corn alleging that it makes cheaper fuel than either wood or coal

A sixty foot drive well is being put down in Vermillion to be used in case of fire, ordered by the city council

About one hundred piles have been driven near the bank of the Missouri river at the washout at Vermillion

Thomas H Davis, county commissioner of Moody county, who died on the twentieth was buried by the Masons

Fred Culver has been appointed deputy sheriff for Springfield and the western portion of Bon Homme county

A calico hop will be given at Sioux Falls next Wednesday evening by the members of the "Eight to Twelve" club

Miss Isabella Harrington was united in marriage to Mr Scott Wright, both of Clay county on the 2nd of January

C Hayes, living two miles north of Flandreau, lost his house and household effects by fire one day week ago

The Methodist mite society of Vermillion, were entertained at the residence of Mrs Geo W Pratt, on Tuesday evening

Bon Homme Citizen It is to be hoped that the present legislature will provide some protection for laborers' wages

Rev and Mrs J A Palmer, of Valley Springs, deny emphatically the report that they are not living happily together

Mr and Mrs W Y Hall of Evansville, his father and mother of Mrs M W Sheafe reached Elk Point Tuesday on a visit

Clay county has fifty-four school districts, 1,708 children between five and twenty-one years of age, Vermillion contributes 304

A number of the people of Elk Point went to Portlandville Sunday, to be present at the dedication of the new Baptist church

A correspondent of the Sioux Falls Pantagraph calls attention to the weakness in the school laws, in quite a lengthy article

A party of married people were pleasantly entertained at the residence of J A Pettigrew, of Vermillion, on Saturday evening

A revival of religion is in progress at Springfield, a number have turned from the error of their ways and become converted

A party of four from Ponca caught a thousand pounds of fish in Smith's lake, Dakota county, Nebraska, in about three days

The Dakota Citizen, of Bon Homme county, is now in the second year of its existence, and prospering and growing in public favor

The Congregational society of Sioux Falls have appointed a committee to take steps towards securing a lot on which to erect a church

Thomas H Davis a farmer living near Dell Rapids, died at his home where he had resided for eight years, on the 20th of January

The location of the U S land office at Springfield has been changed and both the register and the receiver's offices are in the Times building

Arrangements are being made by a Vermillion club for a grand masquerade ball to be given on the 14th of February It promises to be a great success

The North Nebraska ministerial association will be held at the M E church, at Ponca, Dixon county, Nebraska, on the 18th, 19th and 20th of February

Madison, Lake county, claims to have the same push and enterprise, and the same sentiment of pride in the town, that has done so much toward making Sioux Falls what it is

The Moody County Enterprise is only six months old, but by its own "enterprise" it has made a first-class record, deserving of a liberal support, from its own and adjoining counties May prosperity attend it.

The members of the Lutheran church at Bloomingdale, gave their pastor a surprise party on New Years, and presented him with a handsome bureau and other household articles

The D S railroad company is making every effort in its power to protect its roadbed near the washout on the bank of the Missouri, east of Vermillion

The female teachers of Bon Homme county stand higher in scholastic attainments than the male teachers, one lady holding a certificate of the first grade

The Y P L club of Vermillion met on Saturday evening Essays, debates, recitations, and readings were the order, and the programme was well carried out

Although this winter is said to be the coldest experienced in many years, the ice on the Missouri is not more than half the thickness it was during the winter of 1875-6

Flandreau has three civic societies, Masonic, Odd Fellow, and Good Templar, each in a flourishing condition The Good Templars have a membership approaching fifty

The Canton Advocate says "Should the Milwaukee road join the Sioux City and Pembina road, Canton will make an inland city of ten thousand inhabitants in as many years and not half try"

Rev G F Leeclere, who preaches for the Presbyterians at Flandreau, was given the benefit of a festival held at that place, one evening last week, the receipts of the evening amounting to about thirty dollars

Union County Courier Of the first ten men examined for grand jurymen only one was found that had been in the county less than ten years many of them being here over fifteen years

The Exchange hotel, at Dell Rapids, came near being destroyed by fire, caused by the explosion of a lamp It was only saved by the presence of mind displayed by the clerk of the house

A very enjoyable tea party was given by Alex Hughes and lady, of Elk Point, on Tuesday evening After the sumptuous repast the guests were treated to some music, and recitations from parties present

Bon Homme Citizen It seems hard to think our good church builders will let their foundation for the new church building crumble, and go back to dust, for lack of enterprise Wake up, and let the good work go on

Vermillion Republican We have been requested by a number of subscribers to call the attention of our legislative assembly to the necessity of a law requiring every miller to keep posted up in his mill his rate of toll

Moody County Enterprise B D Milam last week purchased from Big Eagle, a chief of the Santee Sioux, who signed the treaty of 1862, a full set of dominoes neatly fashioned out of material from the "great red pipe stone quarry"

The schools of Flandreau are in a prosperous condition They have a substantial two story school house, with about twenty-five regular scholars There is also a school there for the juvenile Sioux, with between twenty and thirty members

Sioux Falls Pantagraph W H Raymer of Canton last Monday in Sioux Falls, married Minnie LaMont, who was engaged here in the hurdy gurdy during the latter part of its career It is reported that he already had a wife and six children in Freeport, Ill, and there is talk of prosecuting him for bigamy

An Elk Point telegram to the Sioux City Journal, states that on Wednesday, B M Brink was engaged in threshing on his farm six miles west of Elk Point, and while removing some straw that had clogged behind the cylinder, it suddenly loosened and his right hand was carried against the cylinder and terribly mangled The Dr Conly were immediately called and found it necessary to amputate the hand at the wrist, which was done

Pantagraph The experience of the Sioux Falls bank since resumption of specie payments, has been much the same as that of banks all over the country Instead of there being a demand for gold, the yellow stuff is accumulating in the coffers of the bank, and the accumulations have amounted to over $2,000 more than could be paid out, people generally preferring paper money, owing to its greater convenience, and many persons depositing small amounts of gold which they had been hoarding

The distinguished men of Elk Point are becoming decidedly musical The Courier says The concert last Wednesday night demonstrated the fact that Elk Point is full of singers Of course none questioned it, but they wanted to see it demonstrated, and they did The lawyers carried off the palm Wallace can sing "Hold the Fort' perfectly wonderful His voice filled the hall with the most fascinating strains Hughes and Miller distinguished themselves in several very pathetic pieces Their time was good As a whole the entertainment was rich and we trust that a number more such entertainments may be given

Sioux Falls Pantagraph For several weeks a very warm revival has been in progress in the Free Methodist church in this village, and each evening numbers of persons are attracted through curiosity to witness the manifestations Recently, a party of "outsiders" were present, and the preacher in charge of the meeting felt that they overstepped the proprieties of the occasion, which prompted him to the following observation "I never but once reproved any body for disturbing a meeting in which I was concerned, and I have always been sorry for that time After administering the rebuke, I learned that the party who was the object thereof was a poor idiot, not responsible for his conduct, and ever since that I have feared that any parties disturbing a religious meeting might belong to the same class I therefore try to pass over their conduct" The "outsiders" referred to now feel that they would have preferred to be rebuked

RED HOT SOUTHERNERS

Bragg's Speech Has Moved the Chivalry to Disloyal Utterances Against Northern Democrats

Washington, Dec 23—In Mr Ellis speech occurs the following sentence, which will be a campaign cry of republicans "The man who was borne in the south and was reared there, could only have been loyal to his country when he entered the confederate army and did his full duty to the south Such men were the only loyal men in the south They were loyal to their country, they were loyal to their God, and loyal to the noblest, highest, holiest emotions that ever inspired a human heart"

Conversative democrats like Reagan, Atkins, Huntoon, and others were untiring last night and this morning in their efforts to suppress the ex-Confederates Hooker, Chalmers, and others, who are so indignant about Bragg's speech on war claims yesterday, as they fear the effect of speeches like that made by Ellis on public opinion in the north, but the southern members could not be suppressed, and those who want to indicate themselves declare that "they will assert their rights," The conservative members finally appealed to Speaker Randall this morning to prevent any further debate until the southern blood had cooled, but this could only be done by an arbitrary ruling Randall was equal to the occasion, however and declared there was to be no morning hour to day, because of the special order for the consideration of an educational bill *To this ruling Hooker, Mills, Chalmers* and others objected, and a motion was made to set aside the special order, so as to revive debate For this all the repbublicans and Hooker, Chalmers, Muldrow, Bragg, Mackey, Eden, Culbertson Mills and other democrats voted, but the conservative democrats called for a vote by yeas and nays, so as to place on record the vote of every member as to whether their party should furnish campaign capital for the republicans, and during the roll call whipped in the ultra confederates, who consented, after much urging, to be temporarily suppressed The debate cannot now be resumed till Saturday, and probably will not until Tuesday, by which time the northern democrats hope their southern colleagues will get over their passion

NEWS BY TELEGRAPH

From the Daily Press and Dakotaian

CONGRESSIONAL

SENATE

Washington, Jan 27—Mr Edmunds from the judiciary committee, reported back the house joint resolution proposing an amendment to the constitution prohibiting the payment of claims to disloyal persons for property injured or destroyed in the war of the rebellion, with an amendment in the nature of a substitute Placed on the calendar

Mr Edmunds said that the judiciary committee thought the resolution as it passed the house was totally inadequate for the purposes indicated by the title He gave notice that he would call the bill up for consideration at an early day

After the morning hour the bill to pay Warren S Mitchell for cotton taken during the war, was taken up, and a long discussion followed

The credentials were presented of Senator Shields Mr Shields then took the oath of office

A large number of bills were referred, among them one by Mr Ferry to reorganize and discipline the militia of the United States

The bill reported from the committee on naval affairs on Thursday last, to abolish a volunteer navy of the United States, passed

HOUSE

Washington, Jan 27—Mr Wright's bill, loaning $500 to every man not worth $300, desiring to take advantage of the provision of the homestead law, was taken up, and after discussion, defeated by yeas, 22, nays, 21

CAPITAL NOTES

Washington, Jan 25—The joint congressional committee appointed to consider the advisability of the transfer of the Indian bureau from the interior to the war department this forenoon, voted upon the subject with the following result Against the the transfer—Senators Saunders, Oglesby and Representatives Stewart and Voorhees—4 In favor of transfer—Senator McCreery and Representatives Scholis, Hooker and Boone—4 After the vote a controversy arose as to which of the two reports should be given the precedence in presentation to congress The opponents of the transfer claim that its advocates, failing to obtain a majority, must consider their's the minority report, as an amendment offered to exchange now fails upon a tie vote The matter remains undecided

Washington, Jan 25—The house committee on reform in the civil service has authorized Representative Durham to report for passage his bill fixing the compensation of district attorneys in lieu of fees

Washington, Jan 27—The Potter committee began investigation of the cipher telegrams Clarence Cary, attorney for the Western Union Telegraph company, the company had, when a subporna was issued for them, placed them in his hands He was obliged however to give them up to Capt Whitney, manager of the company in Washington Floyd Grant, who selected the telegrams in New York, testified that he thought of the 29 000, three hundred were in cipher The messenger of the Western Union office in Washington, produced a schedule showing over three hundred telegrams, delivered to Morrison The committee thought Morrison returned the dispatches Other schedules were produced showing various telegrams delivered to the senate elections committee in two different packages, which, when returned, were by order of President Orton shipped to New York, without being returned

A passage here occurred between Morrison, Hescock and Read the point of which was that Morrison threatened that the republicans would learn something which would make them all less jocular before the conclusion of this matter and Read professed to be in fear and trembling

James O Green testified to burning the entire contents of a trunk containing telegrams as received from Washington McMahon asked the witness if he knew anything of any telegrams being kept back from those furnished in compliance with subpœnas of the commission Witness said he knew of some telegraphic correspondence being collected prior to the issue of the subpœna and between James N Tyner and John W Foster, of Indianapolis The messages referred to political matters, and the impression formed by the witness was that they referred to the sale of some political office This was possibly incorrect, as the air at that time was filled with political excitement, and the fact of Judge Tyner's holding an influential office might have had the effect of leading him to assume that such was the fact He had no direct information that the conclusion arrived at by him was true

By McMahon—Where was Orton when he made the request?

Witness—He made the request by letter, from Washington

Question—Has that letter been preserved?

Answer—No, sir I burned it myself at the instance of President Orton

Washington, Jan 27—The case of the Union Pacific railroad company against the United States, appealed from the court of claims, known as five per cent case, was decided by the United States supreme court to day It is held that the road was completed in November 1869, as the government maintained, that all ordinary and usual expenditures for repairs and improvements should be deducted from the gross receipts, in computing net earnings, but not on interest on its bonded indebtedness, except that on first mortgage bonds, to which the government voluntarily subordinated its claim Out of the net earnings of each year since 1869 the company, it is held must first pay the interest on the first mortgage bonds, and if after so doing a surplus remains, that surplus, so far as it will go, is properly subject to five per cent claim of the United States, and must be so applied Justices Strong and Harlin dissented from the opinion as to priority to be given to interest on first mortgage bonds

Washington, Jan 28—Before the Potter committee to day Assistant Postmaster Gen Brady said be suspected the contents of the package given him for safe keeping by Bullock, and had copies made and gave a portion of the originals to Wm E Chandler, and another part anonymously to Whitelaw Reid The remainder were given to Chandler and Hiscock The telegrams of both parties were in bundles and both sides of the question were revised by them The democratic telegrams, however, were more interesting to them Chandler was given the Florida dispatches Witness, Chandler and Col Parker, chief of the postoffice special agents, endeavored to translate the messages, but utterly failed Witness took from the telegrams in the senate committee room those which passed between Tyner and himself He would produce all received or sent by him if they can be found There was nothing in them he would fear the world seeing

Wm E Chandler testified that he left a majority part of the telegrams given him by Gen Brady, in the private office of Gen Butler Another package he took to the Washington office of the New York Tribune

New York, Jan 28—The investigation by a congressional committee of the doings of John L Davenport, United States commissioner and chief supervisor of the recent election began to day It was decided to make the inquiry very comprehensive Edwin J Denning, superintendent in A T Stewart's store, testified to his arrest when attempting to vote upon naturalization papers of 1868, and characterized his arrest and treatment is a gross outrage

While chief clerk Davenport was being examined, Davenport said he would admit anything and everything alleged, and hoped to be as fairly treated in making his defence Out of the whole number of persons proceeded against, some 9 300, only five hundred were brought to trial

Chicago, Jan 28—The sub committee to investigate the charge against Judge Henry W Blodgett, of the United States district court, arrived this morning, and spent the day in determining upon the details of the method of proceeding The committee consists of Republicans Knott, Culbulson and Fry

HOME NEWS

Lansing, Mich, Jan 25—It is rumored and believed by prominent members of the legislature that Senator Christiancy will surely resign and accept the mission to Peru, in which contingency it is said there is hardly a doubt but that ex Senator Chandler will fill the vacancy

Chicago, Jan 25—Thursday night a well to do farmer named O'Phull, residing near the village of Wassonville, Iowa, rose in the night, and with an axe split open the head of his daughter Emma, aged 18, and immediately thereafter shot himself with fatal effect No cause is known He was unusually fond of his family

Topeka, Jan 28—In the senate to day the following is the result of the vote for United States senator Ingalls, 13, Simpson, 7, Anthony, 6, Thillips, 4, scattering, 7

WRESTLING MATCH

Unexpected and Sensational Termination of a Match Between McLaughlin and Cristol at Detroit.

Detroit Special, 18th

The wrestling match between Col J H McLaughlin, of this city, and Andre Cristol, the French athlete, Graeco Roman style, best two in three falls, for $500 a side and door money, came to an unexpected and sensational termination to night, Cristol having his collar bone broken in the first bout The match was announced to be strictly on the 'square' and excited great interest, an audience of 1,500 people filling Whitney's opera house Dr J J Mulheron, a prominent physician, and himself a fine athlete, was referee The difference in the physical appearance of the men was very marked when they came on the stage stripped to their waist Cristol was muscular and well developed, 169 pounds weight, and depended on agility and scientific knowledge to defeat McLaughlin, who towered over him like a giant The Detroiter is famous as a collar and elbow wrestler, but almost a novice in Graeco Roman work although he has a good theoretical knowledge of it His weight was 222 pound, and was in perfect condition The men commenced work at 8 27 and went at it with determination McLaughlin gripped the little Frenchman and threw him over his right shoulder, but he struck on all fours Cristol seized McLaughlin from behind around the waist, and the latter, while on his knee, reached his right arm around, placed his hand on Cristol's neck and whirled him over on his back Cristol struck with terrible force, with his right arm partly behind him, and when he arose to his feet was pale and almost helpless He was assisted to his dressing-room, and three prominent physicians found on examination that his right collar bone was broken squarely in two Cristol was terribly cut up over the accident, but conceded that he was overmatched by his big opponent He was placed in a carriage and taken to his hotel, where the fracture was reduced McLaughlin having won the first fall, and his opponent being disabled was awarded the stakes and door money He expressed great regret for the accident, but said it was unavoidable The whole bout occupied only three minutes

WISCONSIN BRAGG ON SOUTHERN CLAIMS

Washington Jan 23—Gen Bragg of Wisconsin, a democrat and a loyal union soldier is the most determined opponent of southern claims He took occasion to again announce his opposition and did it in a manner which fired the southern heart and brought down the most violent denunciations upon his head The south in the past has had no use for northern democrats except to furnish money for their campaigns and do their bidding as dough faces Accordingly it was with indignation and surprise that the southern democrats heard the great southern claims system denounced by a northern man They were white with rage when Gen Bragg went further and drew such a picture of desolation of the war and of southern loyalty to the union as the most radical of radicals could have pointed and then charged that southern loyalty was a myth, that no war claim should be recognized, and that despite the swagger and bluster of the democracy of the south it was time for the northern democrats to break loose from the solid south, if the solid south meant only a concentrated raid upon the treasury Some of the more conservative northern democrats feared the outbreak that was impending, Ellis, Mills, Chalmers, Blackburn and Hoooker were on their feet, burning with wrath

A RELIABLE ESCORT

Sioux City Journal

Several days ago, a man whose name we could not learn was sent to this city from a station on the Sioux City & Pacific road, as an escort to some ladies who were going to Yankton Money to purchase tickets from Sioux City to Yankton was placed in his hands, with instructions to buy the pasteboards and see that the ladies were on the road, before returning to his home. Well, the party reached Sioux City in safety, but the business manager of the expedition concluded to use the money in another way than from that designed He was very successful in his undertaking and in an hour or two was in an extremely intoxicated condition The ladies had no money with them were minus tickets, and were compelled to remain in Sioux City until an installment could be received from home, when they proceeded on their journey, dispensing with the services of their escort The man was at the depot yesterday, trying to dicker with the conductor for a forty mile ride for 60 cents He didn't go

LATEST BY MAIL.

Omaha, Jan 25—G G Park, an employee at Schallos' hog yards, had his skull fractured and was fatally injured this morning by a falling apron while loading hogs Katy Schup, a child four years old was run over in the street to night by a team and killed There is a grave charge against the teamster of criminal indifference and he has been arrested and held to bail

Chicago, Jan 25—The application for an injunction restraining Tappan, McKillap & Co from issuing their January book of ratings was withdrawn this morning by complainant before a hearing could be explained in the court The agency has had a good reputation here and the suit has been regarded with considerable interest The rating book has been delivered to the subscribers and no further delay is anticipated

St Louis, Jan 24—A St Joseph, Mo, dispatch says the state lunatic asylum burned this afternoon No adequate means had ever been provided to extinguish the fire, and but little resistance could be made to the spreading of the flames The patients about 250 in number, were safely removed and now occupy the court house in the city The building was erected four years ago at a cost of $190 000 Eighteen months ago there was $100,000 insurance, but the state refused the appropriation to continue the same therefore the loss is total

MARKETS BY TELEGRAPH

WALL STREET

New York, Jan 28

Money—2@3c

Stock—Regular

Goverments—Quiet

NEW YORK MARKET

New York, Jan 28

WHEAT—Spring dull and nominal, winter dull and strong, buyers favor, No 2 red, February, $1 09½c

RYE—Dull, 57@60c

CORN—Without decided change, western mixed, 45¾@48c

BARLEY—Dull

OATS—Quiet, western mixed, 30@31½c

PORK—Firm, $8 25@8 50

LARD—Firm, $6 55

WHISKY—$1 10

CHICAGO

Chicago, Jan 28

WHEAT—Unsettled and lower, 85¾c for cash, 86c for February, 87¼c for March

CORN—Easier and steady, 30¾c for cash, 31½c for March, 35¾c for May

OATS—Steady, 19⅝@19¾c for cash, 20⅛@20¼c for March

RYE—44c

BARLEY—Heavy and lower, 83c for cash

PORK—Strong and higher, $9 00½ for cash, $9 35 for February, $9 47½c bid for March

LARD—Strong and higher, $6 30 for cash, $6 30¾c bid for March; $6 37½c bid for April

WHISKY—$1 04

MILWAUKEE

Milwaukee, Jan 28

WHEAT—½@¾c lower, hard 95¾c, No 1, 90½c, No 2, 86¼c for cash, 86¼c for February, 87⅝c for March, No 3, 72c, No 4, 63½c

CORN—Steady, 29c

OATS—19c

RYE—45c

YANKTON PRODUCE MARKET

Yankton, January 24.

Wheat, old,	55@60
" new, No 1	55
" " " 2	50
" " " 3	38
" " rejected	18
Oats, "	16
Corn, in the ear	16@18
Barley, old	30@60
Flax	90@95
Potatoes	25

DRUGS AND MEDICINES.

EXCELSIOR

DRUG STORE

MILLS & PURDY

Druggists

AND

StationerS

THIRD STREET,

Yankton, - - Dakota

DEALERS IN

DRUGS

All the popular medicines of the day Prescriptions compounded by experienced pharmaceutists

The Finest Assortment of

Books and Fancy Articles

IN THE WEST.

Headlight Oil the Best in the Market

HARDWARE

Zina Richey, Agt.

DEALER IN

HARDWARE, STOVES

AND MANUFACTURER OF TINWARE

Mining Goods

Of Every Description.

An extensive Repairing Department is connected with our establishment.

AGENT FOR THE

Celebrated Otsego Forks

ZINA RICHEY, Agent,

(Sawyer's Block.)

Third-St., - - Yankton D T

BANKS

YANKTON BANK

EDMUNDS & WYNN, Bankers,

Yankton, - - - - Dakota

DO A GENERAL

Banking, Collection & Loan Business

The same as National Banks.

Buy and sell exchange on the principal cities of the United States and Europe Special attention paid to collections and remitted for

Invariably on Day of Payment

Will loan money pay taxes and sell real estate for non-residents, on favorable terms Agents for reliable Insurance Companies, and insure property on terms favorable

BUSINESS DIRECTORY

ADLER & OHLMAN, Wines Liquors and Tobaccos Broadway

BRUCE, J E & CO, Groceries, Provisions Wines Liquors &c cor Third and Cap St

BRAMBLE, MINER & CO, Wholesale Grocers Forwarding, Storage, and General Steamboat Agents Levee

BURLEIGH W A Jr, Dealer in Flour Grain Feed and Provisions Broadway, Block

BRENNAN PATRICK, Family Market, Broadway (Stier's old stand)

BLATT & BUERDORF, General Grocers, Wholesale and Retail Broadway

CLARK, JAMES, Groceries and Provisions, Dewey & Powers block, Third street

CUTTING & CLOUDAS, Grocers Third St opposite Postoffice

DAKOTA HERALD, Democratic Newspaper published weekly Taylor Bros Proprietors Third-St.

EISEMAN, CHAS & CO General Clothing House & Merchant Tailoring Broadway

EXCELSIOR MILL CO Manufacture Patent and other brands of Flour, Meal Feed, &c Capital-St, near Levee

EDMUNDS & WYNN, Bankers and Insurance Agents Broadway

FOLEY & ATCHISSON, Palace Restaurant, Third street, between Walnut and Douglas

FIRST NATIONAL BANK Government Depository J C McVay, President. National Bank Block Third-St

FAULK, P K Attorney-at Law Office Cedar-St north of Third

GERMANIA HOUSE, Wallbaum & Becker, Proprietors Douglas-Ave

HIRSHSTEIN, F, Cigar Factory Third St, between Walnut st and Douglas avenue

HAWLEY GEORGE E, General Hardware Third-St between Walnut and Cedar

HAGE, O P Family Grocer Third St, near Postoffice

HAYWARD, J P, Real Estate and Loan Agent Third St

JENKINSON & PIKE, Ice Cream Fruits and Groceries Third Street

JOB PRINTING, Livery style, at Press and Dakotaian

KADISH, C J Druggist Tennington's Block

LAVENDER, A W Cash Grocery House Third Street

LOEBER, J & H Dealers in Cordwood Office between 4th and 5th on Broadway

MORMANN & GRADY Dealers in Hard ware, Stoves and Tinware Capital street

MAYR & BARTON, Manufacturer of Cigars, Third-St, Yankton D T

MILLS & PURDY, Druggists, Stationers and Notions Third-St

PEIR & LUEBKE, Hide and Leather Dealers Third-St.

QUIRES OF LEGAL BLANKS, At the Press and Dakotaian Counting Room

RICHEY ZINA, Hardware Dealer Third street, Yankton

SMITH, H H Babcock Fire Extinguisher Smithsonian Hotel Second street

STEFFIN, PETER Livery Bradly Barn, Walnut street near Third

SANBORN, J R Furniture Dealer and Manufacturer Third-St Dewitt's Block

TYLER & NISSEN, Manufacturers of Wagons and Buggies Horse shoeing and all kinds of repairing Cedar street, between Third and Fourth

WILCOX & WILLIAMS, Dealers in Grain Elevator foot of Second-St.

LIVERY

THE BRADLY

Livery and Sale

--STABLE.--

PETER STEFFEN, Prop'r.

WALNUT STREET, bet 3d & 4th STREET

Yankton, - - Dakota.

Press and Dakotaian

Thursday, January 30, 1879.

CITY AND VICINITY

LOCAL LACONICS.

Andrew Burleigh is building a law office on south Broadway

Will Andrews has opened a grocery and fruit establishment in the store formerly occupied as a bank by Mark M Parmer

The Dakota Southern railroad company commenced on Monday to drive piles for the new iron bridge on its main line over the Big Sioux river

Dr Burleigh is receiving applications from all parts of the country for information regarding his proposed Yellowstone and Missouri river expedition

The most popular joke of to-day is on Treasurer Sherman—that his accounts have been examined and passed upon and that the governor has ordered him sent to the insane asylum

The warm weather of the past three or four days has had a damaging effect upon the solidity of the ice on the Missouri Yesterday it was considered unsafe to cross with heavily loaded teams

Treasurer Sherman last night received $ [illegible], to be applied on territorial tax, from the county of Lawrence. This makes 1675 paid into the territorial fund by Lawrence county since its organization

Justice Roberts is this afternoon adjudicating a case from Nebraska, wherein a resident of St Helena brought property to Yankton and sold it when it was covered by a mortgage held by another resident of St Helena.

Hanson county has named Governor Edmunds as its representative in the council, and has placed in his hands a remonstrance against the consolidation of Hanson and Davison counties, which contains about sixty signatures

Hon E A Sherman, appointed by legislative enactment as the agent of the territory to make arrangements for the temporary care of Dakota's insane will leave to-morrow morning for St Peters, Minnesota, on his mission

The engine house at Beloit is nearly completed and the depot building at the same place well under way The work is under the direction of Master Mechanic J H Hilton and the labor peformed to a great extent by Yankton mechanics

Capt Lavender is again induced to declare that, if he was a member of the legislature, he would pass a law making it a penal offense for a man to build two houses alike and place them close together, or he would perish in the attempt

Commodore Coulson has caged four dozen cats which he will ship to Montana parties on the first boat up Montana is destitute of this species of bird, and the commodore's shipment is to be made as a means of experimenting upon their propagation there

Geo W Smith, of this city, recently returned from a trip to Rosebud agency, whither he took a load of apples He was out during the coldest weather of the winter, but succeeded in getting his apples through without having any of them frozen He made a good profit by the venture, and is preparing to start out with another cargo

Justice White yesterday required Joseph Evans to give bonds in the sum of $200 to await the action of the district court upon a charge of [illegible]. It appeared in evidence that he obtained goods to the amount of $[illegible] from J W Weeks upon a forged order, purporting to have been signed by Thomas Hickey Phil K Faulk, Esq appeared on the part of the prosecution

County Surveyor Van Antwerp, with a corps of assistants commenced this morning to meander the north bank of the Missouri river between Yankton and the City [illegible] line for the purpose of ascertaining the amount of land absorbed by the river since the government surveys were made The work is being done by order of the county commissioners, in order that the property which has been washed away may be omitted from the tax list The job will occupy the surveyor about a week

Ten criminal cases were on the calendar of Union county, six of which have already been disposed of, five defendants pleading guilty, and one being convicted on jury trial District Attorney Flagg has been eminently successful in entering upon the discharge of his duties as public prosecutor The criminal calendar of Union county was larger this term than at any previous term of court. Thus far Mr Flagg has been successful in every case, with four cases yet to dispose of by trial He will make an efficient officer

GRAND FORKS TAX MONEY

Grand Forks Plaindealer "A memorial will be presented to Gov Howard, asking that the territorial tax paid by Grand Forks county be remitted in consideration of the fact that the county has incurred a heavy expense in taking care of persons afflicted with small pox and preventing the spread of the disease. The county is young and the amount of taxable property very small, the treasury had been drained by appropriations for work on bridges, etc, when this terrible malady broke out within our borders. Prompt action and the expenditure of over $1 500 the county commissioners acting as a board of health prevented the spread of the disease which would have otherwise caused great loss of life in northern Dakota and Minnesota"

A CASE OF FALSE PRETENSE.

Kate Scoffles has got herself into trouble Several days ago she purchased a bill of goods at Bonesteel & Turner's store, Springfield, promising to pay therefor when she received a money order which she was expecting. After securing the goods her husband disposed of their possessions and came to Yankton, intending to take the train for the east yesterday morning, and to give the grantor and the unliquidated bill the grand shake. Before the train left, however, a warrant for her arrest on the charge of procuring goods under false pretenses, arrived and was placed in the hands of Sheriff Baker "Ole" made the arrest, and yesterday he took her to Springfield and turned her over to the authorities of that county, leaving her husband in Yankton to mourn the loss of his wife and his intended eastern trip Last evening his grief got the better of him, and he too got into trouble He got howling drunk, and was lodged in the calaboose When he reached the inside of its sombre precincts, the operations of the mixture of grief and tanglefoot with which he was filled, moved him to great violence, and the officers were compelled to assuage his grief by loading him with heavy irons. This morning he paid the usual fine and was discharged, but his great sorrow was still with him As he walked the streets he inquired diligently for the sheriff and for information as to when Ole Baker was going to bring back his wife

TRIUMPH OF SCIENCE

Chemistry never achieved a more decided triumph than in the production of SOZODONT, which is a botanical preparation of wondrous efficacy in preserving and beautifying the teeth, rescuing them from decay, and rendering them as white as alabaster It is a toilet luxury of which all should avail themselves The unpleasant odor communicated to the breath by catarrh, bad teeth, etc., is entirely obviated by this fragrant and salutary antiseptic of which one bottle lasts a long time Druggists and perfumers sell it.

Chew Jackson's best Sweet Navy Tobacco

PERSONAL.

Saturday's Daily

Judge Bennett returned last night from his trip to Washington.

E D Pratt, trader at Rosebud agency, arrived last night from the east

J D Cameron and T R Kershaw, came over from Sioux Falls yesterday

G W Felt, of Sioux City, came up on last night's train, and is in town to-day

Major Dewitt was out for a short walk to-day He is gradually gaining strength

Hon Alfred Brown, house member from the [illegible] went home this morning

Capt John Todd is back again from winter quarters and his presence reminds us that another navigation season is approaching

Councilman Day and Representative Stephens were excused from attendance in their respective houses to day, and have gone home to spend the Sabbath with their families

Monday's Daily

Judge Brookings arrived on Saturday night's train

T R Kershaw and J D Cameron left for Sioux Falls yesterday

J C Cowgill and John Clendaniel, of Springfield, were in town yesterday

District Attorney Flagg arrived Saturday night from Elk Point, and will go back to-morrow

A D La Due, of Rockport, is in town in the interest of parties who oppose the consolidation of Jim river counties

C H McKinnis, register of deeds of Lawrence county, is in town He will probably remain during the balance of the session of the legislature

Major J G Hamilton, of Grand Forks, secretary of the Minneapolis and Dakota Northern narrow gauge railroad, arrived in Yankton Saturday night

Miss Alice Burnham and Miss Nettie Howie, who started for the Black Hills about two weeks ago in an ox wagon, returned Saturday, by stage, from Yankton agency

Col Pinckney Lugenbell, of the first infantry, commandant at Fort Randall, Maj J D DeRussy, of the first infantry, and Maj C A Wickoff, of the eleventh infantry, arrived Saturday night from St Paul, where they have been on court martial duty, and left this morning for their respective posts in the upper country

Tuesday's Daily

J A Pettigrew, of Vermillion, came up on last night's train

Frank Foster, C Wright and Dr Tanner have gone home to Rockport

John R Brennan, postmaster at Rapid City, arrived last night direct from the Hills, and will remain several days

THE EXEMPTION LAW

Yankton Citizens Decide by a Vote of 70 to 30 That It Must'nt be Meddled With

Saturday night's gathering at Valentine's hall was a popular assemblage of citizens, some of whom went there to express their opinions upon the subject of the magnitude of the exemption which Dakota people shall enjoy, and others went to see what was going to be done about it The hall was full of people and constant new arrivals and their equivalent of departures gave the meeting an animated freshness it might not otherwise have enjoyed All classes and all nationalities were there assembled and there was a great deal of vigorous side conversation carried on among those who were afflicted with anxiety lest the legislature might do something to compel them to pay their debts The conservative element, though not numerically weak, recognized the fact that it was in the minority, but good naturedly agreed that as every dog must have its day, their's was bound to come sometime, even though they were not now possessed of the strength to carry out their wishes for a modification of the exemption law Some one who has been counting noses declares that a vote of the people would show a majority in favor of abolishing excessive exemption of property from seizure, but that most every one on that side of the question was afraid to talk out loud about it in public places, in consequence of the unpopularity of their views in certain quarters Be this as it may, Saturday night's gathering was loudly in favor of things as they are

The meeting organized by the election of Gov Edmunds as chairman and J Parker Hayward as secretary

Wm Blatt gained the first hearing from the floor and introduced the following resolutions

WHEREAS, We the citizens of Yankton county, deem the present exemption law detrimental to the common interests of the people of the territory, and our experience teaches us that our credit abroad, both financially and morally, has been injured by the operations of this law, therefore, be it

Resolved That while we deem any radical change in the law at the present time, both unwise and inexpedient, yet we deem it due to the honor of the territory and credit of its people, that at least a step in the right direction be taken by the present legislature, and that a law be passed reducing the present exemption, and protecting alike all classes of people, to take effect at some future day, and without any application to debts contracted prior to the taking effect of such law

Resolved, That we most respectfully request our representatives in the council and house of representatives to use their influence in bringing about the passage of such a law

Resolved, That we will to the utmost, support them in any endeavors they may make in favor of the passage of a law modifying the present exemption law, as set forth in these resolutions

Resolved, That copies of these resolutions be presented to the members of the council and house of representatives from this county

Mr Blatt moved the adoption of the resolutions

Dr Burleigh presented the following as a substitute and moved its adoption

Resolved, that it is inexpedient and detrimental to the best interests of our people, for the legislature at its present session, to repeal or in any other manner change the present existing homestead and exemption laws of this territory

Dr Burleigh spoke in favor of the substitute and presented in his usual eloquent manner a picture of the harrowing distress which was liable to afflict the people if creditors were permitted to step in and take what was due them It was evident that the doctor had the sympathies of the susceptible element of his audience, and he was shrewd enough to hold to his pathetic line of argument long enough to fix it where he wanted it

Governor Pennington and General Dewey each addressed the audience in turn, but neither took such a decided stand as the first speaker

M T Wooley and Wm. Blatt spoke earnestly in favor of the original resolution

When the substitute resolution came to a vote it was impossible for the chair to decide which was the more numerous the ayes or the noes, and a division was called Noses were counted by the secretary which showed the vote to be seventy one for to thirty against, and Dr Burleigh's resolution was adopted A great many people in the room did not vote

In the meantime a number of wags in the rear end of the room had prepared the following resolution which was presented and boisterously adopted

Resolved, That the legislative assembly of the territory of Dakota memorialize congress to allow this territory to elect three additional delegates to congress

Some of the speakers thought this resolution had a personal application, but as the person who drafted it has not yet been interviewed by the reporter, no light can be thrown upon his real intentions.

The meeting adjourned about ten o'clock.

DAKOTA LEGISLATURE

Proceedings of the Thirteenth Session

COUNCIL—12TH DAY

GENERAL COMMENTS

Mr Brown's promised bill for the consolidation of several counties along the Jim river has not yet taken form His notice of the bill has raised a breeze all along the Jim and a heavy remonstrance is hinted at from that region

The house committee appointed to examine into the books and accounts of the territorial treasurer promises to make public its report on Monday, in the regular order of business Not much is publicly known about the forthcoming report, except that it will differ materially from the report returned by the council committee

Notice of a bill was given in the house to day, Mr Mauksch, which will provide for the payment of C J B Harris for his labors in making a revision of the laws several years ago Chapter thirty-six of the laws of 1872-3 designates Mr Harris as the person to whom that work was intrusted He performed it and made his report Payment has been refused Mr Harris upon some technicality which has been taken advantage of, but the law as it stands seems to be explicit and Mr Harris' claims are again to be urged

Saturday, Jan 25—The council met at 10 o'clock a m and was called to order by the president

Prayer by the chaplain

Roll called, all members present except Mr Day

The reading of journal was dispensed with

REPORTS OF COMMITTEES

Mr Ellis from the committee on counties, reported back council bills No's 25 and 29, and recommended their passage

Mr Roberts from the judiciary committee reported back council bill No 26, and recommended its passage

The same committee also reported a substitute for council bill No 7 in regard to the relations of landlord and tenant

Mr Edmunds from the special committee to which was referred the bill in regard to the insane, made a report accompanied by a substitute for the original bill

Mr Miner, from the committee on agriculture, reported back council bill No 10, in relation to protection of stock, and to regulate the branding and herding thereof, with an amendment making it apply only to the counties west of the Missouri river

Mr Pettigrew asked leave, which was granted, to postpone the motion for the reconsideration of the vote by which council bill No 18 was lost

NOTICE OF BILLS

By Mr Miner—For an act to amend an act providing a board of education of the city of Vermillion

MESSAGE FROM THE HOUSE

A message informed the council that the house had passed house file No 6, in reference to fraudulent banking, and asked the concurrence of the council therein

INTRODUCTION OF BILLS

By Mr Miner—A bill for an act to amend the act to incorporate the city of Vermillion

FIRST READING OF BILLS

Substitute for council bill No 7—A bill for an act to amend sections 1118 and 1119 of the civil code

Substitute for council bill No 3—A bill for an act establishing the Dakota hospital for the insane, providing for the government of the same, and for the care of the insane, and for the organization of a board of commissioners of insanity in each organized county of this territory

Council bill No 31—A bill for an act to amend the act incorporating the city of Vermillion

SECOND READING OF BILLS

Substitute for council bill No 7 was read a second time

THIRD READING AND PASSAGE OF BILLS

Council bill No 16—A bill for an act for the protection of stock and to regulate the branding and herding thereof, was read a third time, and on motion of Mr Roberts, was recommitted to the committee on territorial affairs

Council bill No 25—A bill for an act enlarging the boundaries of the county seat of Clay county

The question rose as to whether the passage of the bill would not operate or be construed as a removal of the county seat of Clay county, and after some discussion on motion of Mr Rohr the bill was laid over until Monday

Council bill No 26—A bill for an act to amend section 510 of article 11 of the civil code, was read a third time As the author of the bill, Mr Day, was absent, on motion of Mr Roberts the further consideration of the bill was postponed until Monday next

Council bill No 29—A bill for an act authorizing the county of Grand Forks to issue bonds for the purpose of building a court house and jail Passed

MESSAGE FROM THE GOVERNOR

A message from the governor informed the council that he had approved council bill No 9, to authorize the employment of assistant clerks of the legislative assembly

On motion of Mr Miner, Judge Bennett, who was in the corridor of the hall, was invited to a seat within the bar of the council The judge took a seat at the president's desk, and thanked the council for the courtesy extended

HOUSE BILLS.

H F No 6—A bill for an act to prevent fraudulent banking was read a first time

House file No 2—A bill for an act concerning corporations and persons engaged in the business of banking, was read a second time and referred to the committee on education

House file No 5—A bill for an act authorizing the employment of short hand reporters in the district courts of Dakota territory, was read a second time and referred to committee on judiciary

House file No 8—A bill for an act to amend section 336 of the code of civil procedure, was read a second time and referred to the committee on judiciary

ADJOURNMENT

On motion of Mr Wynn, the council adjourned until 10 o'clock Monday

HOUSE—12TH DAY,

The house convened, pursuant to adjournment, at ten o'clock a m.

Mr Speaker in the chair

Prayer by the chaplain, Rev J P Coffman

Roll call showed all the members in their seats, except Messrs Stephens and Weeks, excused

The journal of yesterday's session was read and approved

COMMITTEE REPORTS

Mr Gamble, from the judicary committee reported back council bill number thirteen without amendment and recommended its passage, also, council bill number six and recommended its reference to the committee of the whole

On motion of Mr Trygstad, the report was adopted

Mr Gunderson, from the select committee appointed to consider council bill number twelve, reported the same back with the recommendation that it do not pass

Mr. Gamble moved that the report be referred to the committee of the whole So ordered

EXCUSED

On motion of Mr Flick, Mr. Brown was excused from attendance on to day's session.

NOTICE OF BILLS

By Mr Walton—For an act to amend section fifty-six of the justice code

By Mr Mauksch—For an act providing for payment of a commission appointed to revise the laws of Dakota under the provisions of chapter 36 of the laws of 1872 3

INTRODUCTION OF BILLS, &C

By Mr Gray—H F No 16—For an act to amend section 325 of chapter thirteen,

By Mr Stewart—H F No 17—For an act to amend chapter twenty seven, of the political code, relating to elections

By Mr Burbank—H F No 11—Memorial to congress praying for a division of Dakota territory and protesting against the passage of the bill for the admission of the whole territory as a state

COUNCIL MESSAGE

A message was received from the council announcing the passage of council bills number 15, 17, 19, 20, 22 and 24

Also, the passage by the council of house house file number 11, under suspension of rules The bill was referred to the committee on engrossment and enrollment

COUNCIL BILLS

Council bills number 15 17, 19 20, 22 and 24 had their first reading

Council bill number eight had its second reading and, upon motion of Mr Whitfield the rules were suspended, the bill went to its third reading and was passed, on motion of Mr Burbank, by a unanimous vote of the house

Council bills number six, twelve and thirteen had their third reading and were referred to the committee of the whole

HOUSE BILLS

Mr Stewart asked for and received unanimous consent to withdraw, for correction house file number fourteen

House file number fifteen was referred to the committee on engrossment and enrollment

SPECIAL ORDER

The hour of eleven o'clock having arrived the speaker announced the special order, which was house file number nine

Mr Gamble moved as an amendment to the bill that section three be stricken out Adopted

On motion of Mr Gamble, the bill was put upon its final passage and passed, Messrs Burbank, Cross, Gunderson and Fockler voting in the negative, and the other members present in the affirmative

Mr Burbank changed his vote from no to aye

On motion of Mr Gamble, the title of the bill was amended to conform to the bill as amended

COMMITTEE OF THE WHOLE

On motion of Mr Gamble, the house went into committee of the whole on council bill number six, Mr Burbank in the chair

After consideration of the bill the committee rose and recommended that further action upon the bill be indefinitely postponed

FINAL ACTION

The report was accepted, on motion of Mr Burbank

Mr Burbank moved that the rules be suspended and the bill taken up for third reading and final passage So ordered, and the bill read a third time

Mr Burbank moved that further action upon the bill be indefinitely postponed Adopted

EXCUSED

Mr Walton asked to be excused from attendance until Tuesday morning He was excused

ADJOURNMENT

On motion of Mr Gamble, the house, at 11 30 a m adjourned to ten o'clock a m January 27th

COUNCIL—14TH DAY

GENERAL COMMENTS

The local option bill introduced by Mr Langness comes on to-morrow morning as special order in the house The chances are that it will pass the house, though there is strong opposition to it from many quarters

The report of the house committee appointed to examine into the accounts of the territorial treasurer was made this morning and appears in the regular proceedings A substantial point of difference between this report and the one emanating from the council is in the strictures placed by the former upon the treasurer for permitting large balances to accumulate upon which interest was still running Mr Sherman claims that he is operating under a law which renders this course justifiable, while the committee takes an opposite view He holds that there is a conflict of authority upon this point and that he followed the law which governed his predecessor The report of the house committee further mentions the treasurer sent in to the governor an incomplete report upon which to base the financial department of his message The committee report is made from the supplemental report sent in by the treasurer on the 14th of January, while the strictures contained within the governor's message were drawn from the first and materially incomplete report of the treasurer It was these two reports which caused the difference between the governor and the treasurer Had the latter sent in his last report on the 14th of December, all the late unpleasantness would have been avoided That it has finally been happily adjusted will be gratifying to all concerned The governor to-day gave a manifestation of his confidence in Mr Sherman by recommending his appointment as the agent of the territory in making provision for the temporary care of its insane, which recommendation was promptly considered by the legislature It was a graceful act on the part of the executive

Monday, Jan 27—The council met at 10 o'clock a m and was called to order by the president

Prayer by the chaplain

Roll called, members all present

The minutes of Saturday's proceedings were read and approved

MESSAGE FROM THE GOVERNOR

The governor through his private secretary transmitted a special message on the care of the insane, which was read The message will be found at length in the house proceedings

MESSAGE FROM THE HOUSE

A message from the house informed the council that the house had passed council bill No 8 and indefinitely postponed council bill No 6, also, asking the council to concur in house file No 7

REPORTS OF COMMITTEES

Mr Wynn, from the committee on education reported back council bill No 30 in relation to authorizing school district No 2, in the county of Grand Forks to issue bonds, and recommended its passage

Mr MacNider from the committee on enrollment reported joint resolution No 1 correctly enrolled

MOTIONS

Mr Miner moved that the vote be reconsidered by which council bill No 29, a bill for an act authorizing the county of Grand Forks to issue bonds for the purpose of building a court house and jail

Mr. Miner stated his reasons for the motion that the bill provides that the election on the question of issuing bonds shall be held in the town of Grand Forks and not in the several election precincts of the county

Messrs Roberts and Walsh stated that the bill as passed was perfectly satisfactory to the people of Grand Forks county, and that the bill was drawn as it was in the interest of economy

At this point Mr Valentine raised the point of order that the bill had been transmitted to the house and was, therefore, no longer in the control of the council

The point of order was sustained by the chair,

Mr. Pettigrew withdrew the resolution introduced by him on Friday last recommending the reappointment of E A Sherman to the office of territorial treasurer, stating that he took this action at the request of Mr Sherman

Mr Pettigrew then called up his motion to reconsider the vote by which council bill No 18 was lost.

The motion to reconsider the vote, after considerable discussion, was carried The question then being upon the passage of the bill it was passed by the following vote

Ayes—Messrs Cuppett Kuykendall, MacNider, Pettigrew, Roberts, Valentine and Mr President—7, Nays—Messrs Day, Edmunds, Ellis, Miner, Rohr and Wynn—6

NOTICE OF BILLS

By Mr Rohr—A bill for an act to fund the indebtedness of Union county

INTRODUCTION OF BILLS

By Mr Roberts—A bill for an act locating the county seat of Grand Forks county

By Mr Kuykendall—A bill for an act amending section 1 of chapter 17 of the political code relating to notaries public

By Mr Pettigrew—A bill for an act to provide for the building and government of a territorial penitentiary

By Mr Miner—A bill for an act to amend the act creating a board of education for the city of Vermillion

FIRST READING OF BILLS

Council bill No 32—A bill for an act locating the county seat of Grand Forks county

Council bill No 33—A bill for an act amending section 1 of chapter 17 of the political code relating to notaries public

Council bill No 34—A bill for an act to provide for the building and government of a territorial penitentiary

Council bill No 35—A bill for an act to amend an act creating a board of education for the city of Vermillion

SECOND READING OF BILLS

Substitute for council bill No 3, in relation to insane Laid on president's table

Council bill No 28—A bill for an act to amend the act incorporating the city of Yankton, was read a second time, and referred to the committee on finance and expenditures

Council bill No 31—A bill for an act to amend the act incorporating the city of Vermillion Referred to committee on counties

THIRD READING AND PASSAGE OF BILLS

Substitute for council bill No 7, a bill for an act to amend sections 1,118 and 1,119 of the civil code Passed

Council bill No 30—A bill for an act authorizing school district No 2 in the county of Grand Forks to issue bonds Passed

Council bill No 25—A bill for an act enlarging the boundaries of the county seat of Clay county Passed

Council bill No 26—A bill for an act to amend section 510 of article 11 of the civil code Passed

HOUSE BILLS

House file No 9—A bill for an act to amend sections 8, 92 and 101 of the justice code, was read a first time

House file number six, a bill for an act to prevent fraudulent banking, was read a second time and referred to the committee on judiciary

MESSAGE FROM THE HOUSE

A message announced the passage by the house of house file No 19, a bill for an act appointing E A Sherman a special agent to make temporary arrangements with the proper authorities of the state of Minnesota for the care and custody of the insane of this territory.

On motion of Mr Edmunds the rules were suspended, the bill given its several readings and passed

ADJOURNMENT

On motion of Mr Cuppett the council adjourned

HOUSE—14TH DAY

The house convened pursuant to adjournment, at ten o'clock a m

Mr Speaker in the chair

Prayer by the chaplain, Rev J P Coffman

Roll call showed all members in their seats, excepting Messrs Brown, Flick, Gray, Walton and Weeks

The journal of Saturday's proceedings was read and approved

Mr Flick and Mr Gray came in during the reading of the journal

MESSAGE FROM THE GOVERNOR

A special message was received from Governor Howard upon the subject of the insane of the territory

COUNCIL MESSAGE

A message was received from the council announcing the passage by that body of council bill number twenty nine and asking concurrence on part of the house

THE GOVERNOR'S SPECIAL

Mr Stephens called for the reading of the special message sent in by the governor It was read from the clerk's desk and runs as follows

To the Council and House of Representatives of Dakota Territory

The time for removing the insane of this territory from the hospital for the insane of Minnesota expires by its own limitation on the first day of February, 1879, (next Saturday) As it is apparently impossible to complete any effective arrangements in time to meet the emergency I respectfully recommend that you authorize and direct that application be made to the authorities of the state of Minnesota for an extension of the time for the removal of our insane until arrangements can be perfected, say sixty days It is believed that sixty days additional time is all that would be required It would probably involve the necessity of convening a meeting of the board of trustees of the Minnesota hospital Owing to the importance of the subject, I would suggest that a special messenger or agent be sent to St Peter to make success more certain Owing to his personal acquaintance with their officers and his official intercourse with them, I would suggest that you secure the services of Hon E A Sherman, territorial treasurer, for the purpose, if they can be had, and that you make an appropriation sufficient to pay his expenses and reasonable compensation for the services

As the law does not provide for an official report from the asylums of the states where our insane are kept, I have prepared the following data, which I submit for your information

The present number confined is twenty-five (25), of whom twenty are at St Peter, and five are at Lincoln They are from the following counties

Bon Homme county, patients		2
Cass	" "	2
Pembina	" "	1
Richland	" "	1
Burleigh	" "	1
Minnehaha	" "	1
Lincoln	" "	2
Yankton	" "	1
Union	" "	6
Lawrence	" "	8
Aggregate		25

Two from Lawrence county have, during the year, been cured and discharged, and one more is reported as cured and ready to be discharged as soon as means can be legally provided for transportation from St Peter to Deadwood

WM A HOWARD

A QUICK RESPONSE

Mr Gamble asked for, and obtained, unanimous consent to introduce, in the proper order, a bill providing for the appointment of E A Sherman as the special messenger of the territory to proceed to Minnesota and arrange for the further care of Dakota's insane

COMMITTEE REPORTS

Mr Burbank, from the special committee appointed to examine the books and accounts of the territorial treasurer, made the following report

Your committee to whom was referred the report of the territorial treasurer and that part of the governor's message in reference thereto—also the additional report of said treasurer—beg leave to submit the following report

That we have examined said message and reports together with the treasurer's books and the said treasurer personally appeared before us during such examination, and after consideration your committee find—

1st—That the journal and ledger substantially correspond in all things with his additional report and it appears from said journal and ledger and the statement of said treasurer made before us that he has accounted for all money received and disbursed by him, as in said additional report set forth

2d—That the warrant register is incomplete and imperfectly kept, in this In some instances the warrants are not registered according to date of presentation, and for a period of several months prior to our examination it fails to show the date of notice to holders of warrants of funds for payment, as required by law The treasurer states that he cannot inform the committee of these dates, without reference to copies of his letters and cannot do so in all instances after such reference

3d—That the cash account shows at times large balances in his hands without interest being stopped by him, on outstanding warrants, as required by law The territory was thereby the loser of various items of interest, the amounts of which it would be difficult for your committee to ascertain

4th—And your committee further finds that the report submitted to the governor December 14, 1878, was incomplete and did not give dates, items and details as required by law But that his additional report, submitted January 14, 1879, was full and complete with the statutes, except as to time of submission to the governor

J Q BURBANK,
J R GAMBLE,
J H STEPHENS,
A B FOCKLER,
Committee

The committee appended to the report the following by way of explanation

The treasurer states to your committee that he acted in the matter as he understood the law, and by so acting he claims there was no interest lost to the territory

On motion of Mr Gray, the report was adopted and the committee discharged

NOTICE OF BILLS

By Mr Gunderson—A memorial to congress asking for an appropriation to remove obstructions from the Missouri river at or near Vermillion, Dakota territory

COUNCIL BILLS

Council bill No 29—By Mr Roberts—to permit the county of Grand Forks to issue bonds to build a court house, had its first reading

The following council bills had their second reading and were referred as indicated

C B No 15—to committee on enrollment
C B No 17—to committee on judiciary, on motion of Mr Gamble
C B No 19—to committee on judiciary, on motion of Mr Stephens
C B No 20—to committee on insurance, banks and banking, on motion of Mr Gray
C B No 22—to committee on judiciary, on motion of Mr Gray
C B, No 24—to committee on insurance, banks and banking, on motion of Mr Stephens

HOUSE BILLS

The following house bills had their second reading and were referred as indicated

H F No 12—To committee on territorial affairs, on motion of Mr Stephens
H F No 13—To committee on judiciary, on motion of Mr Whitfield
H F No 16—To committee on judiciary, on motion of Mr Gray
H F No 17—To committee on judiciary, on motion of Mr Whitfield

INTRODUCED AND PASSED

Mr Gamble introduced house file number nineteen, an act to authorize and appoint E A Sherman special agent to make temporary arrangements with the proper authorities of Minnesota for the care and custody of the insane The bill provides a per diem of four dollars and expenses

On motion of Mr Gamble, the rules were suspended, the bill had its several readings and passed by a unanimous vote

COMMITTEE OF THE WHOLE

On motion of Mr Gamble, the house went into committee of the whole on council bill number twelve, for an act to amend section 1100 of the civil code, Mr Fockler in the chair

After consideration, the committee rose and reported back the bill with a recommendation that it pass

THE BILL DEFEATED

On motion of Mr Gamble the report of the committee was received and adopted

Mr Gamble moved that the bill be read a third time and put upon its final passage So ordered

The question being on the final passage of the bill, the ayes and noes were called and the bill was defeated by the following vote

Ayes—Messrs Burbank, Flick, Gamble, Gray, Shely, Stephens, Trygstad, Whitfield—8

Noes—Messrs Cross, Fockler, Gunderson, Helvig, Hoyer, Hoyt, Huseboe, Johnson, Langness, Mauksch, Peterson, Simonson, Stewart, Webber, Mr Speaker—15

Absent and not voting—Messrs Brown, Walton and Weeks—3

Mr Whitfield changed his vote to no

Mr Gamble changed his vote to no and gave notice that he would move a reconsideration

ADJOURNMENT

On motion of Mr Stephens, the house, at 11 35 o'clock, adjourned to ten o'clock a m January 28th

COUNCIL—15TH DAY

GENERAL COMMENTS

Day's bill for the modification of the exemption law has not yet been reported by the judiciary committee to which it was referred on its second reading It will probably be reported to morrow and a vote taken on its passage

The bill to amend the charter of the city of Vermillion which passed the council this morning, reduces the election precincts from six to one It is claimed that one polling place will answer the purpose as well as six, and save considerable expense

Mr Langness' local option bill being the special order in the house for eleven o'clock this forenoon, a large number of ladies and gentlemen were assembled upon the floor and in the gallery of the house by the time that hour arrived Ladies were particularly numerous, their coming having been arranged yesterday afternoon at the instance of Mrs Governor Howard, who takes a leading interest in all matters pertaining to temperance reform They came as a sort of a moral force, to encourage by their presence the friends of the bill and assure them that the measure was one which encountered their heartiest sympathies The opponents of the bill, being weak in numbers, but strong in parliamentary resorts, anticipated the hour of the special order by instituting fillibustering movements which demoralized the forces arrayed in favor of the measure before the time for action came These tactics were followed up and the house crowded into committee of the whole in spite of the intention of the majority to permit no delay in bringing about immediate final action In committee of the whole a couple of amendments were carried and the balance of the time was consumed in dilatory motions The house was, finally, after two hours' struggle, brought to an almost unanimous adjournment without a call for the previous question or anything pertaining to final action There is now a disposition among its advocates to throw the bill aside and substitute a measure which shall be prohibitory in its nature Mr Langness' bill, as it no stands, provides that on and after the general election in 1879 the question of granting licenses permitting the sale of liquor in any county shall be submitted to a vote of the electors of the county and as the majority decides so will the sale of liquor be permitted or not permitted An effort was made in the committee of the whole to confine the operations of the proposed law to the counties of Minnehaha, Lincoln, Union and Clay, but it was voted down An unsuccessful effort was also made to except the counties of Bon Homme and Richland from the measure The bill will be brought to a test in the house to morrow in its regular order, that of unfinished business

Tuesday, Jan 28—The council met at ten o'clock a m, and was called to order by the president

Prayer by the chaplain

Roll call showed all members present

The journal of yesterday's proceedings was read and approved

REPORTS OF COMMITTEES

Mr MacNider from the committee on enrollment, reported council bill number 8 correctly enrolled

Mr. Ellis, from the committee on counties reported back council bill number 31 to amend the charter of of the city of Vermillion, and recommended its passage

NOTICE OF BILLS

By Mr Day—To amend section 308 and 585 of the penal code

By Mr MacNider—To attach the counties of Wallette and Mountraille to the county of Burleigh for certain purposes

INTRODUCTION OF BILLS

By Mr Roberts—A bill for an act amending section 665 of the code of criminal procedure, also a bill for an act relating to the rules of evidence in criminal proceedings

By Mr Cuppett—A bill for an act providing for the organization of civil townships and the government thereof

By Mr Day—A bill for an act to repeal sections 43 and 44 of the penal code

By Mr Pettigrew—A bill for an act to define the boundaries of certain counties of this territory,

FIRST READING OF BILLS

Council bill No 36—A bill for an act amending section 665 of the code of criminal procedure

Council bill No 37—A bill for an act relating to the rules of evidence in criminal proceedings

Council bill No 37—A bill for an act providing for the organization of townships and the government thereof

Council bill No 39—A bill for an act to repeal sections 43 and 44 of the penal code

SECOND READING OF BILLS

The following bills had their second reading and referred as follows

Council bill No 32, to the committee on counties

Council bill No 33, to the committee on judiciary

Council bill No 35, to the committee on judiciary

THIRD READING AND PASSAGE OF BILLS

Substitute for council bill No 3—A bill for an act establishing the Dakota hospital for the insane, providing for the government of the same, and for the care of the insane, and for the organization of a board of commissioners of insanity in each organized county of this territory, was read a third time at length, and Mr Kuykendall moved that the bill be committed to the committee of the whole and made a special order for Thursday, Jan 30, at 11 o'clock a m

Mr Edmunds urged the necessity of prompt action in this matter, and moved as an amendment that the bill be made the special order at 11 o'clock to morrow, which motion was lost

The motion of Mr Kuykendall was then adopted

Council bill No 31—A bill for an act to amend the act incorporating the city of Vermillion Passed

HOUSE BILLS

House file No 9—A bill for an act to amend sections 8, 92 and 101 of the justice code, was read a second time, and referred to the judiciary committee

SENT TO THE GOVERNOR

Mr Valentine, from the joint committee on enrollment, reported that he had yesterday presented to the governor for his action thereon joint resolution No 1

ADJOURNMENT

On motion of Mr Valentine, the council adjourned until 10 o'clock to-morrow

HOUSE—15TH DAY

The house met, pursuant to adjournment, at ten o'clock a m

Mr Speaker in the chair

Prayer by the chaplain, Rev J P Coffman

Roll call showed all members in their seats

The journal of yesterday's session was read and approved

COMMITTEE REPORTS

Mr Gray, from the committee on enrollment reported a bill and a memorial as correctly enrolled

Mr Gamble, from the judiciary committee, reported back house file seven with a recommendation that it pass without amendments

Mr Gamble, from the committee on judiciary, reported back council bill seventeen with a recommendation that it pass without amendment

Mr Gamble, from the judiciary committee, reported back council bill nineteen with a recommendation that it pass without amendment

Mr Gamble, from the judiciary committee, reported back house file thirteen with a recommendation that it pass with certain amendments

Mr Brown, from the committee on counties and townships, reported back council bill one with a recommendation that it pass

Mr Brown, from the same committee, reported back council bill five and recommended its passage

COUNCIL MESSAGE

A message was received from the council giving notice of the passage of council bills 7 (substitute), 18, 25, 26 and 30 and house file 19

NOTICE OF BILLS

By Mr Peteerson—an act relating to the county seat of Union county

By Mr Whitfield—an act to provide for the compensation of witnesses attending court in Lawrence, Pennington and Custer counties

INTRODUCTION OF BILLS

By Mr Whitfield—House file No 20—For an act to amend section 38 of chapter 27 of the political code

By Mr Helvig—House file No 21—To provide for a superintendent of weights and measures

By Mr Walton—House file No 22—To amend section 36 of the justice code

By Mr Gunderson—House file No 23—A memorial for an appropriation for the removal of obstructions from the Missouri river

By Mr Mauksch—House file No 24—For an act providing for the payment of a revision commissioner

By Mr Fockler—House file No 25—For an act to amend sections two and four of chapter sixty of the penal code.

By Mr Fockler—House file No 26—For an act regulating the time and manner of making fire guards

REFERENCE ORDER

The speaker announced the reference of house file nineteen to the committee on enrollment and engrossment.

COUNCIL BILLS

Council bills number 7, 18, 25, 26, and 30 had their first reading

Council bill 29 had its second reading, and was referred to the committee on territorial affairs, on motion of Mr Gray

Council bill fifteen passed to its third reading, and, on motion of Mr Gamble, was laid on the table until to-morrow.

Council bill seventeen—For an act to repeal section 660 and article three of section 666 of the civil code, was put upon its third reading and passage, and was lost by a vote of nineteen to six

Council bill nineteen had its third reading, and being put upon its final passage, was passed by a vote of seventeen to eight

HOUSE BILLS

House file eighteen, a memorial regarding the division of the territory, had its second reading, and was referred to the committee on judiciary, on motion of Mr Gray

House file thirteen, as amended by the judiciary committee, had its third reading, was placed upon its passage and passed by a vote of 24 to 2

House file seventeen passed to its third reading and, on motion of Mr Gamble, was indefinitely postponed

House file one, was, on motion of Mr Gamble, referred to the committee of the whole

On motion of Mr Flick, the amendments to house file seven, reported from judiciary committee, were agreed to

On motion of Mr Gamble, house file seven was referred to the committee on enrollment and engrossment

THE SPECIAL ORDER

The hour of eleven o'clock had been set for the consideration of Mr Langness' local option bill, house file number four

At five minutes before eleven Mr Whitfield moved a recess of ten minutes

By a call of the ayes and noes the motion was lost, by a vote of six to twenty, Messrs Brown, Burbank, Flick, Gray, Gunderson and Whitfield voting in the affirmative

Mr Gray moved that the house take a recess of five minutes

Mr Burbank raised a point of order that a motion for a recess could not follow a previous motion for a recess

The speaker ruled that the point was well taken

Mr Gray appealed from the decision and stated his understanding of the rule

The speaker asked Mr Burbank to withdraw his point, but he declined upon the ground that he had been sustained

The speaker then withdrew his ruling

Mr Gray renewed his motion for a recess It was put and lost

COMMITTEE OF THE WHOLE.

On motion of Mr Gray, the house, at 11 15 a m went into committee of the whole on house file four, Mr. Gray in the chair

In committee of the whole the time was largely consumed by dilatory motions and general fillibustering tactics of the minority which opposed the bill By this course the committee was held in session nearly an hour It finally rose and reported back the bill with amendments changing the date of the first election under the proposed bill from 1880 to 1879 and prohibiting the sale of liquor in unorganized counties, and recommended its passage

MORE FILLIBUSTERING

Mr Burbank moved that the house adjourn On call of ayes and noes the motion was lost

Mr Gray moved the adoption of the report of the committee of the whole

Mr Burbank moved as an amendment that the report lie on the table

Mr Gamble moved as an amendment to the amendment that the report lie on the table until to morrow at ten o'clock

These amendments were accepted by the mover and the ayes and noes called on the amended motion, when it was lost by a vote of 14 to 12

Mr Gray moved the adoption of the report of the committee of the whole

Mr Gamble addressed the house at length in opposition to the bill as it was framed

About this time it was discovered that Mr Gray had stepped out of the room and Mr Burbank moved a call of the house

While the call was progressing Mr Gray returned

The speaker called Mr Gray to the chair and took the floor and read a twenty minute speech in favor of the bill

Mr Gamble followed in a fifteen minute speech in opposition to the bill

ADJOURNMENT

At fifteen minutes past one o'clock, Mr Stephens moved that the house adjourn and the motion was adopted with but one dissenting voice and the house stood adjourned to ten o'clock a m, January 29th

YANKTON COUNTY GLEANINGS

Town 96 range 55 Yankton county, Dak, January 19, 1879—*Eds Press and Dakotaian* The people here are much pleased with the prospect of an early extension of the Milwaukee and St Paul railroad to Yankton It is hoped that by another fall this road will be finished to Yankton This will give farmers the advantages of competition in freights and superior advantages of Milwaukee as a wheat market

Several cases of diptheria have occurred in this neighborhood Mr Brant having lost three of his children by this disease

We have had some cold weather during a few weeks past, but we are well pleased with this Dakota winter when we learn that while we have three or four inches of snow, in portions of the eastern and middle states they are having nearly as many feet Every one appears well pleased with the country and all manifest an abiding faith in the future growth and development of Dakota

It is expected a number of families from the east will locate in this neighborhood early in the spring Yours,

VERETAS

THE NATIONAL COMPLAINT

Dyspepsia is the national complaint Almost every other man or woman you meet has it and the result is that the number of pseudo-remedies for it is as numerous as Pharaoh's host They are for the most part worthless There is, however a searching eradicant of this distressing and obdurate malady, one whose genuine merits long since raised it to a foremost place among the staple medicines of America Hostetter's Stomach Bitters extirpates dyspepsia with greater certainty and promptitude than any known remedy, and is a most genial invigorant appetizer and aid to secretion These are not empty assertions as thousands of our countrymen and women who have experienced its effects are aware, but are backed up by irrefragible proofs repeatedly laid before the public The Bitters also promote a regular habit of body and give a healthful stimulus to the urinary organs

ARE FAT PEOPLE HEALTHY?

Why are fat people always complaining? asks some one who entertains the popular though erroneous notion that health is synonymous with fat Fat people complain because they are deceased Obesity is an abnormal condition of the system, in which the saccharine and oleaginous elements of the food are assimilated to the partial exclusion of the muscle forming and brain-producing elements In proof of this, it is only necessary to assert the well known fact that excessively fat people are never strong, and seldom distinguished for mental powers or activity Besides, they are the easy prey of acute and epidemic diseases, and they are the frequent victims of gout, heart disease, and apoplexy Allan's Anti-Fat is the only known remedy for this disease It contains no acid, is absolutely harmless, and is warranted to remedy the most confirmed case of obesity, or corpulency

The Centaur Liniments are of two kinds The **White** is for the human family, the **Yellow** is for horses, sheep and other animals Testimonials of the effects produced by these remarkable Preparations are wrapped around every bottle, and may be procured of any druggist, or by mail from the Office of THE CENTAUR COMPANY, 46 Dey Street, New York City

BY UNIVERSAL ACCORD.

AYER'S CATHARTIC PILLS are the best of all purgatives for family use They are the product of long, laborious, and successful chemical investigation, and their extensive use, by Physicians in their practice, and by all civilized nations, proves them the best and most effectual purgative Pill that medical science can devise Being purely vegetable no harm can arise from their use In intrinsic value and curative powers no other Pills can be compared with them and every person, knowing their virtues, will employ them, when needed They keep the system in perfect order, and maintain in healthy action the whole machinery of life Mild, searching and effectual, they are specially adapted to the needs of the digestive apparatus, derangements of which they prevent and cure, if timely taken They are the best and safest physic to employ for children and weakened constitutions, where a mild, but effectual, cathartic is required

FOR SALE BY ALL DRUGGISTS tf

LIVER IS KING.

The Liver is the imperial organ of the whole human system, as it controls the life, health and happiness of man. When it is disturbed in its proper action, all kinds of ailments are the natural result The digestion of food, the movements of the heart and blood, the action of the brain and nervous system, are all immediately connected with the working of the Liver It has been successfully proved that Green's August Flower is unequalled in curing all persons afflicted with Dyspepsia or Liver Complaint, and all the numerous symptoms that result from an unhealthly condition of the Liver and Stomach Sample bottles to try, 10cents Positivly sold in all towns on the Western Continent Three doses will prove that it is just what you want. Sold by Mills & Purdy.

A CARD

To all who are suffering from the errors and indiscretions of youth, nervous weakness, early decay, loss of manhood, &c, I will send a recipe that will cure you, FREE OF CHARGE This great remedy was discovered by a missionary in South America Send a self-addressed envelope to the REV JOSEPH T INMAN, *Station D, Bible House, New York City*

YOU MUST CURE THAT COUGH.

With Shiloh's Consumption Cure you can cure yourself It has established the fact that consumption can be cured, while for Coughs, Bronchitis, Whooping Cough, Asthma, and all diseases of Throat and Lungs it is absolutely without an equal Two doses will relieve your child of Croup, it is pleasant to take and perfectly harmless to the youngest child, and no mother can afford to be without it You can use two-thirds of a bottle and if what we say is not true we will refund the price paid Price 10 cts 50 cts and $1,00 per bottle If your Lungs are sore or chest or back lame use Shiloh's Porous Plaster Sold by E M Coates

Have you Dyspepsia, are you Constipated have you a Yellow skin, Loss of Appetite, Head Ache, if so don't fail to use SHILOH'S SYSTEM VITALIZER It is guaranteed to relieve you, and will you continue to suffer when you can be cured on such terms as these Price 10 cts and 75 cts Sold by E M Coates

Wells Persian Perfume "HACKMETACK" is rich and fragrant try it

E M COATES
Yankton D T

MARRIED

McKLE-BARTON—In Yankton D T January 28th 1879 by G W Roberts justice of the peace Mr James [illegible] to Miss Ethel Barton of Knox county Nebraska

DISSOLUTION NOTICE

The partnership heretofore existing between E D Pratt and O M Carter under the firm name of Pratt & Carter at Rosebud Agency D T, is dissolved.

O M CARTER

January 20 1879

New Advertisements.

SWEET JACKSON'S BEST NAVY Chewing Tobacco

warded *highest prize* at Centennial Exposition for *fine chewing qualities and excellence and lasting character of sweetening and flavoring* The best tobacco ever made. As our blue strip trade mark is closely imitated on inferior goods see that *Jackson's Best* is on every plug Sold by all dealers. Send for sample, free to C A JACKSON & Co Mfrs Petersburg, Va.

$7 A DAY to Agents canvassing for the Fireside Visitor Terms and Outfit Free Address P O VICKERY Augusta Maine

25 Chromo Cards &c Cupids Mottoes Flowers No two alike, with name, 10c Nassau Card Co Nassau N Y

30 Fancy Cards Chromo Snowflake &c no 2 alike with name, 10 cts J Minkler & Co Nassau N Y

40 MIXED CARDS with name 10cts Agents outfit 10cts L JONES & CO Nassau N Y

Newspaper Advertising Bureau, 10 Spruce St., New York

SUMMONS

TERRITORY OF DAKOTA }
COUNTY OF YANKTON } ss

In District Court, Second Judicial District

Frank Owens
vs
Charity Ann Owens

SUMMONS

The Territory of Dakota sends greeting To the above named defendant

You are hereby summoned and required to answer the complaint in this action which was filed on the 4th day of December A D 1878 in the office of the clerk of the district court in and for the county of Yankton territory of Dakota at the court house in the city and county of Yankton D T and serve a copy of your answer on the subscriber at his office on Third st in the city of Yankton Dakota territory within thirty days after the service of this summons on you exclusive of the day of service If you fail to answer the complaint within that time the plaintiff will apply to the court for the relief demanded in the complaint

Dated at Yankton D T this 4th day of December A D 1878.

OLIVER SHANNON
Plaintiff' Attorney

35-7w

TAKE NOTICE, LARGER & BETTER THAN EVER The Great American Banner Package the best selling [illegible]

Package for two [illegible] 24 Sheets of Paper 24 Envelopes Pencil, Penholder, Golden Pen and a piece of valuable Jewelry Complete sample package with pair of elegant Engraved Nickel-silver Bracelets (New Style in New York) sent by mail, postpaid for 25 cents [illegible] with Assorted Jewelry $1 SPLENDID WATCH AND CHAIN FREE WITH EVERY $50 WORTH OF GOODS YOU BUY Extraordinary Inducements to Agents.

BRIDE & CO, 297 BROADWAY, NEW YORK

DR. W H H. BROWN,

Resident Dentist,

Union Block, - - Third Street

YANKTON, - - - D T

ALL WORK WARRANTED

Will be mailed FREE to all applicants. It contains 2 colored plates 500 engravings about 150 pages and full descriptions, prices and directions for planting over 1200 varieties of Vegetable and Flower Seeds Plants, Roses Etc. Invaluable to all Send for it. Address

D M FERRY & CO Detroit Mich

GRAIN &C.

Wilcox and Williams

GRAIN DEALERS.

Also a full line of

FARMING IMPLEMENTS

Bain's Celebrated Wagons,

—FARM AND FREIGHT—

Minnesota Chief Thresher

"NEW MANNY"

Reaper and Mower

PATENT

SPRING STEEL BEAM PLOWS.

&c, &c, &c.

Second and Mulberry Sts.

Press and Dakotaian

Thursday, January 39, 1879.

CITY AND VICINITY

LOCAL LACONICS.

The legislative special committee on living statuary meets regular every evening and gives close attention to business

Brennan is fixing up the neatest meat market in the city, in Valentine's new building on Broadway, and will move in on Monday next

A numerously attended contest is in progress before the United States land office in this city. The parties to the dispute are Russians

The dedication of the new Odd Fellows' hall has been postponed to await the arrival of the lodge room carpet, which is being made in Chicago

One of John Satoris' houses on the corner of Fourth and Cedar streets is enclosed and painted, and the frame work of the other was raised yesterday

Deputy Marshal Edmunds seized some empty cigar boxes yesterday which had not been properly scratched over the region of the revenue stamps thereon

E G Adams was brought before Justice Roberts last evening charged with barratry (which means inciting and encouraging law suits) on the complaint of G A Webster The trial was postponed to Monday

A petition, signed by a large number of the Jim river valley settlers, remonstrating against the proposed consolidation of Hutchinson and Armstrong counties, will be presented to the legislature in a day or two

Dr Burleigh is building a law office on Broadway, on the site of the old building formerly occupied by H A Schoregge It will be occupied by Andrew F Burleigh, who proposes to commence the practice of law in Yankton

A fire caused by throwing out ashes containing live coals was discovered about eleven o'clock last night in rear of the court house When found it was consuming the fence and working its way towards a pile of wood and the wooden buildings adjoining

A Crow Creek letter gives these items of news There are rumors that a new Indian agent is to be appointed for that agency Wm Hewitt and Jessie Kirk were married recently and a dinner given them by I West Mrs Ashley's baby was baptized last Sunday and named Charlotte Jessie Wenona—the latter being the Sioux for first daughter"

PERSONAL.

Wednesday's Daily

P R Riggs and J J Brown left on this morning's Sioux Falls stage

Messrs J C & J H Boyles, of Hutchinson county, are in the city

Paul Landmann left this morning for Sutton, Nebraska, where he will remain about a month

Lieutenant J H. Pailbrick, of the 11th infantry, arrived this afternoon from Cheyenne agency.

Capt W E Dougherty, acting Indian agent at Crow Creek, arrived last night from the east

Dr Bergen, from Ft Sully, H Oldham, from White Swan, M Childs, from Yankton agency and S W Brisnine and C F Wright, from Springfield, arrived on last night's Missouri river stage

Thursday's Daily

D L Forbes, of Lower Brule, is in town today

I Norton, from up the Niobrara, arrived last night

Sam Kaucher came down from the Niobrara region last night

Lieutenant D M Scott, of the first infantry, and his wife and child were among last night's arrivals

E G Smith, Esq, has formed a law partnership with Col Hugh J Campbell, U S district attorney

Frank B Foster and Dr Tanner, of Rock port, are in town for the purpose of attending to the matter of the consolidation of Jim river counties

Bob Matthison, the champion foot-racer of the northwest, arrived at his home in Yankton on Tuesday evening Bob has been on a professional tour in the east and south, and returns home with fresh laurels as a foot-racer.

Friday's Daily

J D Welchman arrived from Springfield this afternoon

John Mead, of Springfield, was in town last night and early this morning

Lieutenant D G Callinan, of the first infantry, Fort Randall, is in town to-day

Mrs James Lawrence arrived last night from Schuyler, Nebraska, on a visit to her parents

Miss. Clara Beadle returned last night from Chicago where she has been for several months

C C Sperry, trader at Yankton agency, arrived last night from the east and left for the agency to-day

Charles E Simmons attorney for the Chicago & Northwestern road, left this morning for the east

J P King, formerly of the San Juan silver mines, but now an attache of the Rosebud agency, is in the city He reports all quiet on the Rosebud

Dr Camp, of Springfield, came down to Yankton yesterday to take a look as the assembled wisdom, and ascertain whether the special committee on living statuary is properly performing its duty

AT THE CLUB ROOM LAST NIGHT

The members of the reform club and their friends held a meeting in their club room Wednesday night both interesting and profitable It was opened by the singing of a temperance song by the choir and a prayer by Rev Mr Coffman followed by more singing and remarks from Rev's Potter, Sheldon and Coffman The admonitions exhortations, illustrations and pleadings from each had their effect and when the president of the club called for signers to the pledge a number, in whom great interest has been felt, stepped to the front and amid deep applause solemnly agreed to never taste intoxicating beverages again During this time a beautiful temperance ballad was sung by Miss Martha Batchelor after which Mr Stewart the (the worthy president of the club) made a few closing characteristic remarks and the meeting was closed One week from last night an entertainment similar to those the club has had before will be given For the success of these affairs great credit is due to J W Foster For the next meeting an effort will be made to secure a speaker from abroad

MASONIC INSTALLMENT

The following officers of Yankton Chapter No 1, Royal Arch Masons, weve privately installed last evening at Masonic hall

High Priest—F M. Ziebach
King—E G Wheeler.
Scribe—G W Kingsbury
Secretary—John O Bates
Treasurer—Charles Eiseman
Captain of the Host—G W Vanderhule.
Royal Arch Captain—G D Van Tassel
Principal Sojourner—Wm Blatt
Grand Master, 3d Veil— —— Randall.
Grand Master, 2d Veil—C H Van Tassel
Grand Master, 1st Veil—L M Purdy
Guard—P Cavalier.

DAKOTA LEGISLATURE

Proceedings of the Thirteenth Session

COUNCIL—9TH DAY.

GENERAL COMMENTS

Judge Kuykendall's bill to increase the number of justices of the peace and constables and provide for the election of the same, was passed by the council this morning Before being passed it was amended so as to apply only to the counties of Bon Homme and Grand Forks and the counties west of the Missouri river

The chaplain of the council was a few minutes late this morning, and no member of the council volunteering to discharge his duty, the business of the day was entered upon without the usual invocation for divine aid Considering this omission the members deported themselves with remarkable circumspection

Mr Gray's bill for the prevention of fraudulent banking is designed to protect the public against irresponsible persons engaging in the business of banking The main feature of the bill is the provision making it a misdemeanor, punishable by heavy fine and imprisonment, for officers of a banking institution to receive money in deposit of such banking institution shall have became insolvent

Wednesday, Jan 22—The council met at 10 o'clock a m and was called to order by the president

Roll called, members all present

The minutes of yesterday's proceedings were read and approved

REPORTS OF COMMITTEES

Mr Roberts, from the judiciary committee, reported back council bills 10, 11, 12 and 13, and recommended their passage, which was accepted

Mr MacNider, from the committee on enrollment, reported that council bills 2 and 8 were correctly enrolled

Mr Rohr, from the committee on elections, to which had been referred council bill No 4 in relation to penalty on taxes, reported the same back with amendments, making the act apply only to the counties of Clay and Union, and with these amendments recommend its passage

Upon a motion to adopt the amendments proposed to the committee, a discussion followed

Mr Roberts said that the fundamental principle of taxation was that it should be uniform, and that wherever any inequality is shown it vitiates the entire levy This law gives special privilges to the counties of Clay and Union, and if passed, the general law applying to the balance of the territory could not be enforced

Messrs Cuppett and Edmunds took the same view, and were of the opinion the bill proposed legislation which would be construed as making taxation illegal

Messrs Miner and Pettigrew favored the bill

Upon a vote being taken the report of the committee was not adopted

NOTICE OF BILLS

By Mr Miner—For an act defining the boundaries of the county seat of Clay county

By Mr Day—For an act to amend section 510 article 11, of the civil code, relating to insurance, also, for a bill providing for the publication of certain local laws in the German language

INTRODUCTION OF BILLS

By Mr Roberts—A bill for an act to *establish the boundaries of the judicial districts* of the territory and fixing the terms of courts therein

By Mr Day—A bill for an act to amend sections 324 and 325 of article 13 of the code of civil procedure

By Mr MacNider—A bill for an act to fund the outstanding indebtedness of the counties of Brookings, Moody, Burleigh and Grand Forks

THE EXCURSION

On motion of Mr Kuykendall the council concurred in the resolution of the house accepting the invitation of Mr Wicker to take an excursion to Beloit and Canton

FIRST READING OF BILLS

Council bill No 22—A bill for an act to establish the boundaries of the judicial districts of the territory and fixing the terms of courts therein

Council bill No 23—A bill for an act to amend sections 324 and 325 of article 13 of the code of civil procedure

Council bill No 24—A bill for an act to fund the outstanding indebtedness of the counties of Moody, Brookings, Burleigh and Grand Forks

SECOND READING OF BILLS

Council bill No 20—A bill for an act to regulate the rate of interest in certain counties in this territory, was read a second time and referred to the committee on judiciary

Council bill No 21—A bill for an act to amend chapter 40 of the political code approved February 17th, 1878, relating to public education, was read a second time and referred to the committee on education

THIRD READING OF BILLS

Council bill No 10—A bill for an act to remove the cloud from certain titles, was read a third time and passed

Council bill No 11—A bill for an act to amend section 92 of the justice code, was read a third time and passed

Council bill No 12—A bill for an act to amend section 1100 of the civil code, was read a third time and passed

Council bill No 13—A bill for an act to amend the penal code, was read a third time and passed by a vote of 7 to 6

Council bill No 18—A bill for an act to amend section 3, chapter 38, of the revised codes of 1877 was read a third time and on motion recommitted to the committee on judiciary

Council bill No 6—A bill for an act to amend section 1748 of the civil code in reference to renewing chattle mortgages, was read a third time and passed

Council bill No 2—A bill for an act increasing the number of justices of the peace and constables and providing for the election of the same, was read a third time and passed

Council bill No 8—A bill for an act to create a lien for miners and laborers in certain cases, was taken up and referred back to be properly engrossed

Council bill No 4—A bill for an act in relation to penalty on taxes, coming up for its third reading was, on motion of Mr Miner, laid upon the table

INVITATION TO DINE

The president informed the council that he was requested to extend to the members a cordial invitation to dine with Governor Howard at five o'clock this evening,

ADJOURNMENT

Mr Edmunds moved that when the council adjourn it will adjourn until two o'clock p m for the purpose of going into committee of the whole on council bill No 3, in relation to the insane, which motion prevailed

On motion of Mr Cuppett, the council then took a recess until two o clock p m

HOUSE—9TH DAY.

The house met, pursuant to adjournment, at ten o'clock a m

Mr Speaker in the chair

Prayer by the chaplain, Rev J P Coffman

Roll call showed all members in their seats excepting Mr Flick

The journal of yesterday's proceedings was read and approved

COMMITTEE REPORTS

Mr Burbank, from the special committee appointed to examine into the report of the of the territorial treasurer, reported that the committee had not yet completed its work. He moved, also, that the report of the territorial auditor be referred to the same committee It was so ordered

NOTICE OF BILLS, &C

By Mr Gray—For an act to amend section 333 of chapter 13 of the code of civil proceedure

By Mr Gamble—For an act to amend sections 28 and 36 of the code of criminal proceedure

By Mr Gamble—For an act to amend section 1743 of the code of civil proceedure

By Mr Gamble—A memorial to congress for the creation of a new land district, and the location of a land office therein in Dakota territory

By Mr Fockler—For an act to amend certain sections, and also to add one or more sections, to chapter sixty of the penal code, relating to prairie fires

By Mr Burbank—A memorial to congress asking a change of the pre emption law, by which clerks of courts shall have the right to take final proofs, also for the amendment of the homestead law so that affidavits taken before clerks of district courts shall be as effective as those taken of registers or receivers of land offices

INTRODUCTION OF BILLS

House file No 8—By Mr. Gamble—to amend section 336 of the code of civil procedure

By Mr Gamble—House file No 9—to amend sections 8, 92 and 101 of the justice code

House file No 10—By Mr Gamble—to amend chapter 10 of the political code

COUNCIL BILLS

Council bill No 1—relating to an amendment to the Sioux Falls charter, had its first reading

SECOND READING OF BILLS

House file No 7—Read, and on motion of Mr Whitfield, referred to committee on judiciary

House file No 6—Read, and on motion of Mr Fockler, referred to the committee on banking

House file No 5—Read, and on motion of Mr Whitfield, referred to the committee on judiciary

House file No 3—Reading in full dispensed with, and on motion of Mr Gray referred to the committee on railroads

COUNCIL MESSAGE

A message was received from the council announcing the appointment of Messrs Valentine, Ellis and Miner as members on the part of the council of the joint committee on enrolled bills, also that the council had passed council bill No 5, for funding the indebtedness of Minnehaha and Lincoln counties also that the council had passed joint resolution No 1, requesting the secretary of the territory to procure the construction of the secretary of the treasury of the law regulating the pay of territorial legislators

GENERAL BUSINESS

On motion of Mr Gamble, the rules were suspended and joint resolution No 1, from the council, taken up

On motion of Mr Burbank, under a suspension of the rules, the resolution had its several readings, and was passed

COMMITTEE REPORTS

Mr Stephens moved that the house return *to the order of reports of standing committees* Adopted

Mr Stephens, from the committee on banks and banking, reported back house file number two with sundry amendments and recommended the adoption of the report

On motion of Mr Trygstad, the report was adopted

On motion of Mr Stephens, house file number two was referred to the committee on enrollment

GENERAL BUSINESS

Mr Gray moved that Mr Stephens be excused from acting as chairman of the committee on enrollment and engrossment Adopted

Mr Gamble moved that Mr Gray be appointed to the vacancy on the committee of enrollment and engrossment, caused by the withdrawal of Mr Stephens

Mr Gray, having understood that Mr Gamble's reference to this matter was in the nature of a suggestion and not of a motion, raised a point of order that a suggestion was not a motion

The speaker overruled the point of order

Mr Stephens moved as an amendment that the name of Mr Walton be substituted for the name of Mr Gray

Mr Gamble insisted that, as Mr Gray was a gentleman peculiarly adapted to the performance of the duties of chairman of the committee on enrollment and engrossment, the amendment should not prevail

Mr Gray considered the whole scheme for his appointment a conspiracy—besides his eyesight was not good He had had much trouble with his eyes and was thereby unfitted for the task of reading lengthy bills and could not do justice to the work

Further debate ensued, but the result of a vote was the rejection of Mr Stephens' amendment and an adoption making Mr Gray chairman of the committee

Mr Gray gave notice that he would take early occasion to move a reconsideration of the vote by which the motion was adopted

Mr Stephens called up the report of the custodian of the territorial library and asked that it be read

It was accordingly read at length

On motion of Mr Stephens, the report was referred to the judiciary committee

ADJOURNMENT

On motion of Mr Gamble, the house, at 11 15 a m adjourned to ten o'clock a m Jan 23d

COUNCIL—10TH DAY

GENERAL COMMENTS

A glance at the council proceedings below will enable the reader to fix attention upon the report of the council committee appointed to examine the books of the territorial treasurer The report is very explicit and states in a few words that Mr Sherman is not responsible for the error noted in the message of Governor Howard

The bill introduced in the council yesterday by Mr Day modifies the exemption law It reduces the personal property exemption from $1,500 to $500, and in lieu of this exempts miscellaneous books and musical instruments to the value of $300 instead of $500, household and kitchen furniture, &c, to the value of $300 instead of $500, five swine instead of ten, twenty five sheep instead of one hundred, and farming utensils of the value of $200 instead of $300 The bill provides that it shall not be construed as affecting any debts contracted prior to its passage

The committee appointed on the part of the house to examine into the books and accounts of the territorial treasurer, and to whom was afterwards referred the report of the territorial auditor, is working in secret session during those hours of the day and evening when the house is not in session It may take two or three days yet to reach a report The committee intends to render its work complete, so that there may remain no further question regarding the financial affairs of the territory There has been so much gossip over this matter that it is nothing short of an act of justice to all concerned to enter into the minutest details of the work

Mr Wicklin, from the unrepresented district of four counties along the eastern border of the territory, in the Lake Kampeska region, has been supplied with a chair and a desk alongside Mr Stewart, of Turner county, who had heretofore been all by himself and would have suffered a lonely time throughout the session, but for the opportune arrival of Mr Wicklin The secretary of the territory has fitted up Mr Wicklin's desk with an assortment of stationery and he is as well fixed as though he was a paid and voting member of the body Mr Wicklin made his maiden speech in the house this morning, upon the passage of the memorial to congress asking for the establishment of an additional land district The proposition is to create this *district from the southeastern portion of the* territory and to include within it the counties of Deuel, Grant, Codington and Hamlin Under the present arrangement of district boundaries Mr Wicklin's constituents are exposed to many difficulties and hardships in making and perfecting claims

Thursday, Jan 23—The council met at 10 o'clock a m and was called to order by the president

Prayer by the chaplain

Roll called, all members present.

The minutes of yesterday's proceedings were read and approved

REPORTS OF COMMITTEES

Mr MacNider, from committee on engrossment, reported council bill No 8 properly engrossed

Mr Wynn, from the special committee to examine the books and accounts of the territorial treasurer made the following report

MR PRESIDENT—Your special committee to whom was referred the investigation of the territorial treasurer's books, respectfully report that they have made a thorough examination of the treasurer's books and find them correct, and we also report that we have examined the vouchers in the auditors office and find that they agree with the books of the treasurer, we also find that the treasurer's books and accounts have been kept systematically, we also examined a portion of the registered warrants and found the interest computed correctly up to date of the payment, and we do further find that the treasurer is not responsible for the error shown in the governor's message as to the outstanding indebtedness of the territory ending the 30th of November, 1878

On motion of Mr Miner, the report was adopted

NOTICE OF BILS

By Mr Cuppett—A bill for an act to amend chapter 28 of the political code relating to revenue

INTRODUCTION OF BILLS

By Mr Miner—A bill for an act enlarging the boundaries of the county seat of Clay county

By Mr Day—A bill for an act to amend section 510 of article 11 of the civil code

By Mr Edmunds—A bill for an act to amend section 14 of chapter 28 of the political code

By Mr Wynn—A bill for on act to amend an act entitled an act to incorporate the city of Yankton, approved January 8th, 1873, as amended

By Mr Roberts—A bill for an act authorizing the county of Grand Forks to issue bonds for the purpose of building a court house and jail

By Mr Roberts—A bill for an act authorizing school district No 2, in the county of Grand Forks to issue bonds

MESSAGE FROM THE HOUSE

A message from the house stated that the house had passed the joint resolution which originated in the council in regard to the pay of territorial legislators

FIRST READING OF BILLS

Council bill No 25—A bill for an act enlarging the boundaries of the county seat of Clay county

Council bill No 26—A bill for an act to amend section 510 of article 11 of the civil code

Council bill No 27—A bill for an act to amend section 14 of chapter 28 of the political code

Council bill No 27—A bill for an act to amend an act entitled an act to incorporate the city of Yankton, approved January 8th, 1873, as amended

Council bill No 29—A bill for an act authorizing the county of Grand Forks to issue bonds for the purpose of building a court house and jail

Council bill No 30—A bill for an act authorizing school district No 2 in the county of Grand Forks to issue bonds

SECOND READING OF BILLS

Council bill No 22—A bill for an act to establish the boundaries of the judicial districts of the territory and for fixing the term of court therein, was read a second time and referred to the committee on judiciary

Council bill No 23—A bill for an act to amend sections 324 and 325 of article 13 of the code of civil procedure, was read a second time and referred to the judiciary committee

Council bill No 24—A bill for an act to *fund the outstanding indebtedness of the* counties of Moody, Brookings, Burleigh and Grand Forks, was read a second time and referred to the committee on finance and expenditures

THIRD READING OF BILLS

Council bill No 8—A bill for an act to *create a lein for miners and laborers in* certain cases, was read a third time and passed

ADJOURNMENT.

On motion of Mr Kuykendall, the council adjourned until 10 o'clock to-morrow morning

HOUSE—10TH DAY,

The house convened pursuant to adjournment, at ten o'clock a m

Prayer by the chaplain, Rev J P Coffman

Roll call showed all members in their seats

The journal of yesterday's session was read and approved

COMMITTEE REPORTS

Mr Gamble, from the judiciary committee, to whom was referred house file number five, for the employment of short hand reporters in courts, reported back the bill without amendment, and recommended its passage

On motion of Mr Johnson, the report was adopted

Mr Gray, from the committee on engrossment and enrollment, reported back house file number two as correctly enrolled, and the report was adopted

From the same committee, house file number five was reported back as correctly enrolled, and the report was adopted

COUNCIL MESSAGE

A message was received from the council announcing the passage by that body of council bills number two, six, ten, eleven, twelve and thirteen, also that the council had concurred in the house action on the invitation from the officers of the Dakota Southern railroad company

NOTICE OF BILLS

By Mr Stewart—An act to amend section fifteen of chapter thirty nine, relating to compensat on of public officers

By Mr Stewart—An act to amend section one of chapter fourteen and section fifteen of chapter twenty one of the political code

By Mr Stewart—An act to amend section two of chapter five of the revised codes, relating to the qualification of officers

By Mr Flick—For an act relating to fences and enclosures

By Mr Huseboe—For an act to amend chapter forty of the political code

INTRODUCTION OF BILLS

By Mr Gamble—A memorial to congress asking for the creation of an additional land district in Dakota and the location of a land office therein

PASSAGE OF BILLS

On motion of Mr Burbank, under a suspension of the rules, the memorial relating to an additional land district had its several readings, was put upon its final passage, and on a call of the ayes and noes, passed the house

Mr Stephens called up house file number two, and moved that, under a suspension of the rules, it be put upon its final passage The motion prevailed, and, upon a call of the ayes and noes, the bill was passed by the house. The bill relates to corporations and persons engaged in banking

Mr Trygstad called up house file number five and moved that, under a suspension of rules, it be put upon its final passage The motion prevailed, and, on a call of ayes and noes, the bill was unanimously passed by the house

COUNCIL MESSAGES

The council message giving notice of the creation of an additional joint committee on enrollment and engrossment, was read from the clerk's desk, and the speaker appointed Messrs Gray, Webber and Walton as the house members of such committee

COUNCIL BILLS

Council bills number two, five, six, ten, eleven and thirteen, had their first reading, and council bill number one its second reading

HOUSE BILLS

House file number four was read a second time and referred to a select committee of five, on motion of Mr Langness

House file number eight, was read a second time and referred to the committee on judiciary, on motion of Mr Gamble

House file number nine was read a second time and referred to the committee on judiciary, on motion of Mr Stephens

House file number ten was read a second time and referred to the committee on judiciary, on motion of Mr Stephens

GENERAL BUSINESS

Mr Gray asked and obtained general consent for the introduction of the following resolution

Resolved by the house of representatives of the territory of Dakota That we congratulate the state of Wisconsin upon the election of Matt H Carpenter to the senate of the United States

On motion of Mr Burbank, the resolution was unanimously adopted

RECESS

On motion of Mr Stephens, the house, at 11 30 a m, adjourned until two o'clock p m

AFTER RECESS

The speaker announced as special committee on house file number four Messrs Langness, Whitfield, Stewart, Huseboe, Brown

A COMMITTEE CHAIRMANSHIP

Mr Gray moved a reconsideration of the vote by which he was made chairman of the committee on enrollment and engrossment

A running discussion ensued regarding Mr Gray's right to move a reconsideration it being the general impression that he voted in the negative on the question, Mr Gray excepting to this decision

Mr Burbank moved that the whole subject be indefinitely postponed Adopted

Mr Gray gave notice of a joint resolution instructing the public printer to print five hundred copies of the rules and standing committees that his constituents might understand that he was performing the laborious duties of chairman of the committee on enrollment and edgrossment

Mr Burbank moved that Mr Gray have unanimous consent to offer his resolution So ordered

Mr Gray then withdrew his notice of a joint resolution

COMMITTEE REPORTS

On motion of Mr Gamble, the house went back to the fifth order, reports of standing committees

Mr Gamble, from the judiciary committee, reported back house file number eight, without amendment, and recommended the passage of the bill

The report was adopted, on motion of Mr Gray

COMMITTEE OF THE WHOLE

On motion of Mr. Gray, the house went into committee of the whole, Mr Gray in the chair, on house file number eight

After considering the bill, the committee rose and reported a recommendation that the bill pass without amendment

FINAL ACTION

The report of the committee was adopted

Mr Gamble moved that the rules be suspended and the bill read a third time and put upon its passage

Under a call of the ayes and noes, the bill passed the house by unanimous vote

COMMITTEE REPORT

Mr Stephens, from the committee on banks and banking, reported back house file number six and recommended its passage Report accepted

Mr Gamble, from the judiciary committee, reported back house file number nine, with amendments and recommended its passage Report adopted

COMMITTEE OF THE WHOLE

On motion of Mr Stephens, the house went into committee of the whole on house files number six and nine, Mr Gray in the chair

After consideration of the bill the committee rose and reported back house file six with amendments and reported progress on house file number nine

ACCEPTED

Mr Gray moved that the report of the committee be accepted So ordered

AN INVITATION

The speaker announced that Governor Howard tendered an invitation to the members of the house to visit him at his residence at six o'clock Saturday evening.

On motion of Mr Gamble, the invitation was accepted

ADJOURNMENT

On motion of Mr Stephens, the house, at 3 15 o'clock, adjourned to ten o'clock a m January 24th

COUNCIL—11TH DAY

Friday, Jan 24—The council met at 10 o'clock and was called to order by the president

Prayer by the chaplain

Roll call, members all present

The journal of yesterday's proceedings was read and approved

REPORTS OF COMMITTEES

Mr Roberts, from the judiciary committee, reported back and recommended the passage of

Council bill No 15—A bill for an act to amend chapter 3 of title 2, part 3 of the civil code of the territory, in relation to corporations,

Council bill No 17—A bill for an act to repeal section 660 and article 3, section 666 of the civil code,

Council bill No 18—A bill for an act to amend section 3, chapter 38, of the revised codes of 1877,

Council bill No 19—A bill for an act to amend section 5 of the justices code in relation to a change of the place of trial,

Council bill No 20—A bill for an act to regulate the rate of interest in certain counties in this territory

Council bill No 22—A bill for an act to establish the boundaries of the judicial districts of the territory, and for fixing the terms of court therein

Mr Edmunds, from the committee, reported back council bill No 24, a bill for an act to fund the outstanding indebtedness of Moody, Brookings, Burleigh and Grand Forks counties, and recommended its passage

MOTIONS AND RESOLUTIONS

Mr Pettigrew offered the following resolution, and moved its adoption

Resolved, That E A Sherman ought to be reappointed territorial treasurer of this territory as a just recognition of his integrity and ability as an officer during the past term

Mr Roberts hoped the resolution would not be pressed to a vote at this time, and asked as a personal favor that the mover would consent to its going over until to-morrow

Mr Edmunds said that he had no objection whatever to the passage of the resolution, if presented at the proper time The matter in regard to the treasurer's books and accounts is now being investigated by a committee of the house When that committee *concludes its investigation and makes its re*port, and if that report coincides with that made by the committee of the council, then will be the proper time to present a resolution such as the one now under consideration, and then he will be prepared to vote thereon He hoped the gentleman from *Minnehaha would consent to allow the reso*lution to lie over for the present

Mr Pettigrew said that the books and accounts of the territorial treasurer had been submitted to a committee of the council, and that committee had made a report fully exonerating the treasurer from the implied charges against his integrity and endorsing his ability and efficiency as an officer This report should be sufficient to enable the council to intelligently vote upon the resolution Tardy justice to Mr Sherman had been wrung from his assailants, and it is only a matter of further and fuller justice that this resolution should pass But if the councilmen did not know their minds and wished to be instructed in their duty by the action of a committee of the lower house, he would not object to the resolution going over for that purpose

Mr Wynn thought the matter did not come up in order When the governor presented to the council the name of a person for territorial treasurer, then would be the time for the council, by confirming or rejecting the appointee, to express its views upon this subject

Mr Miner favored the adoption of the resolution He said it had been acknowledged by the members of the council by the unanimous adoption of the report of the committee to investigate the books of the treasurer, and by remarks made upon the floor that Mr Sherman was an able honest and honorable man and that this resolution should be adopted as a vindication of his official acts against the unfounded rumors affecting his integrity

On motion of Mr Roberts the resolution was laid over to come up in its regular order on Monday next

NOTICE OF BILLS

By Mr Miner—A bill for an act to amend the charter of the city of Vermillion

By Mr Day—A bill for an act to repeal sections 35, 43 and 44 of article 1 of the penal code

SECOND READING OF BILLS

The following bills were read a second *time and referred as therein indicated*

Council bill No 25, by Mr Pettigrew—A bill for an act enlarging the boundaries of the county seat of Clay county—to the committee on counties

Council bill No 26, by Mr Day—A bill for an act to amend section 510 of article 11 of the civil code—to the committee on judiciary

Council bill No 29, by Mr Roberts—A bill for an act authorizing the county of Grand Forks to issue bonds for the purpose of building a court house and jail—to the committee on counties

Council bill No 30, by Mr Roberts—A bill for an act authorizing school districts No 2, in the county of Grand Forks, to issue bonds—to the committee on education

THIRD READING AND PASSAGE OF BILLS

Council bill No 15—A bill for an act to amend chapter 3 of title 2, part 3 of the civil code of this territory, in relation to corporations Passed

Council bill No 17—A bill for an act to repeal section 660 and article 3, section 666 of council code

The bill repeals that provision of the code which requires a notary public in taking an acknowledgement of the transfer of real estate to inform the wife of the contents of the instrument out of the presence of her husband

Mr Miner opposed the passage of the bill under consideration, believing that the present law is a good one and necessary for the protection of the rights of married women

Messrs Edmunds and Ellis also opposed the bill in short speeches and Messrs Pettigrew and Valentine, favored its passage

On the roll being called seven committees voted for the bill and six against it So the bill passed

Council bill No 19—A bill for an act to amend section 5, of the justices code, in relation to a change of the place of trial Passed

Council bill No 20—A bill for an act to regulate the rate of interest in certain counties in this territory Passed

Council bill No 22—A bill for an act to establish the boundaries of the judicial districts of the territory, and for fixing the terms of court therein Passed

Council bill No 18—A bill for an act to amend section 3, chapter 38, of the revised codes of 1877 Lost

Mr Pettigrew gave notice that he would on to morrow move a reconsideration of the vote by which the bill was lost

Council bill No 24—A bill for an act to fund the outstanding indebtedness of the counties of Moody, Brookings, Burleigh and Grand Forks Passed

MESSAGE FROM THE HOUSE

A message informed the council that the house had appointed Messrs Gray, Webber and Walton as the house members of the joint committee on enrollment, also that the house had passed house files No's 2, 5, 8 and 11, and requested the concurrence of the council therein

THE ENROLLMENT COMMITTEE

Through its chairman, Mr Valentine, reported that council bill No 9, providing for the election of assistant clerks was correctly *enrolled, and that the same had yesterday* been presented to the governor for his approval

FIRST READING OF HOUSE BILLS

House file No 2—A bill for an act concerning corporations and persons engaged in the business of banking

House file No 5—A bill for an act authorizing the employment of short hand reporters in the district courts of Dakota territory

House file No 8—A bill for an act to amend section 336 of the code of civil procedure

House file No 11—A memorial to the senate and house of representatives for the creation of a new land district, and the location of a land office therein in Dakota territory

On motion of Mr Edmunds, the rules were suspended and the memorial passed

EXCUSED

On motion of Mr Kuykendall, Mr Day was permitted to be absent from to morrow's session of the council

ANOTHER INVESTIGATION

Mr Pettigrew, by consent, moved that a committee of three be appointed to investigate the auditor's office, and all books and papers therein; also the expenditure of all moneys for printing during the last two years

Which motion was adopted, and Messrs Pettigrew, Valentine and Day appointed as such committee

ADJOURNMENT

On motion of Mr Ellis, the council adjourned until 10 o'clock to morrow

HOUSE—11TH DAY

The house convened, pursuant to adjournment, at ten o'clock a m

Mr Speaker in the chair

Prayer by the chaplain, Rev J P Coffman

Roll call showed all the members in their seats

The journal of yesterday's session was read and approved

COMMITTEE REPORTS

Mr Langness, from the select committee to whom was referred house file number four, providing for the submission to a vote of the people the question of granting liquor licenses, reported back the same without amendment and recommended its passage

Mr Johnson noved that the report be adopted

A message was received from the council announcing the passage of council bill number eight.

Mr Gamble called for the reading of the report of the committee on judiciary on house file number nine

The report being read from the clerk's desk, Mr Gamble moved its acceptance and adoption So ordered

NOTICE OF BILLS

By Mr Simonson—To amend section nine of chapter thirty eight of the political code

By Mr Burbank—A memorial to congress praying for a *division of the territory* and protesting against the bill for the admission of the present territory as a state

By Mr Stewart—To amend chapter twenty seven of the political code

By Mr Gray—To amend section 325 of chapter thirteen of the code of civil procedure

By Mr Gray—To amend part three of division four of the civil code

By Mr Gray—To amend chapter thirty of the code of civil procedure

By Mr Gray—To amend chapter forty-one of the political code

INTRODUCTION OF BILLS

By Mr Flick—H F No 12—For an act relating to fences and enclosures

By Mr Stewart—H F No 13—For an act to amend section fifteen of chapter thirty-nine of the code, relating to the compensation of public officers

By Mr Stewart—H F No 14—For an act to amend section one of chapter fourteen and section fifteen of chapter twenty one of the political code

By Mr Stewart—H F No 15—For an act to amend section two of chapter five of the code, entitled qualification for office

COUNCIL BILLS

Council bill No 8 had its first reading

The following council bills had their second reading and were referred as indicated

C B No 2—committee on judiciary, on motion of Mr Walton

C B No 5—*committee on counties* and townships, on motion of Mr Gunderson

C B No 6—committee on judiciary, on motion of Mr Stephens

C B No 10—committee on judiciary, on motion of Mr Whitfield

C B No 11—committee on judiciary, on motion of Mr Walton

C B No, 12—special committee of three, on motion of Mr Gunderson

C B No 13—committee on judiciary, on motion of Mr Stephens

House file number six, a bill for an act to prevent fraudulent banking, had its third reading, and being placed up on its passage, was passed by the unanimous vote of the house

House file number four, a bill for an act to provide for the submission to a vote of the question of granting licenses to sell liquor, reported back from select committee, had its third reading

Mr Stephens moved that the bill lie on the table for one week Lost

Mr Gray moved that the bill be referred to the committee of the whole

The motion was lost by the following vote

Ayes—Messrs Burbank, Flick, Fockler, Gamble, Gray, Gunderson, Hoyt, Mauksch, Shely, Stevens, Trygstad, Walton—12

Noes—Messrs Brown, Cross, Helvig, Hoyer, Huseboe, Johnson, Langness, Peterson, Simonson, Stewart, Webber, Weeks, Whitfield, the Speaker—14

Mr Gray moved that the bill be made the special order for next Friday at eleven o'clock a m

It was the opinion of Messrs Gray, Stephens and Gamble that the bill should not be rushed through without giving the house an opportunity to understand all its provisions and the effect which would result from its passage

Mr Gamble was not sure but that the measure would be an unconstitutional one Several of the states had so decided He wanted time to look on that point Another objectionable feature of the bill was that the subject would be voted upon in the year 1880, the year of the general election, and he was opposed to mixing up temperance with politics There was also another point to be considered—whether or not cities and villages were included within the provisions of the bill

Mr Brown moved as an amendment to the resolution of Mr Gray that the measure be made the special order for next Tuesday, at eleven o'clock a m

The amendment was adopted and the motion of Mr Gray, as amended was then adopted

On motion of Mr Gamble, the house went into committee of the whole on house file number nine, Mr Burbank in the chair

After consideration of the measure, the committee rose reported back the bill with amendments and the report was adopted

Mr Fockler moved that house file number nine be made the special order for next Wednesday at eleven o clock a m

Mr, Gamble moved an amendment making it the special order for Saturday at eleven o'clock a m

The motion as amended was adopted

Mr Stephens asked to be excused from attendance after to day's adjournment until Monday morning and, on motion of Mr Whitfield he was excused

On motion of Mr Helvig, at 11 20 o'clock a m the house adjourned till two o'clock p m

AFTER RECESS

House convened at two o'clock p m, Mr. Speaker in the chair

The speaker announced as the select committee on council bill number twelve, Messrs Gunderson, Walton and Peterson

On motion of Mr Gunderson, Mr Weeks was excused from attendance until Tuesday morning

Mr Burbank from the special committee appointed to examine the books and accounts of the territorial treasurer reported that the committee had been diligently at work upon its task but had not quite finished One member of the committee had been excused until Monday and it would therefore be impossible for the committee to make its report before Monday at which time they hoped to be able to report in the regular order of business

On motion of Mr Gray, the house, at 2 05 p m, adjourned to ten o'clock a m, January 25th

REAL ESTATE TRANSFERS

Sales in Yankton County for the Week Ending Jan 21, 1879, Reported from the Abstract and Real Estate Office of C J B Harris, Yankton

W W Benedict to Caroline M Hussey, quit claim deed lot 2, section 23, town 93, range 55, 28 75 100 acres—$150

Jane Redaelli to John P Redaelli, warranty deed lot 3, block 34, Yankton—$250

Lucy Lenger to Joseph Cabalka, warranty deed sw¼ section 10, town 94, range 57, 160 acres—$450

C P Edmunds to John Engle, warranty deed lots 8 & 9, block 60, Central Yankton—$750

John Engle to Trustees of the German Lutheran church society, warranty deed lots 8 & 9, block 60, Central Yankton—$500

Walter A Burleigh to Andrew F Burleigh, warranty deed lots 3, 4, 5, 7 & 8, block 7, W A Burleigh's addition to Yankton—$500

Patrick McGillick and wife to Mary Nero, warranty deed lot 9, block 55, Lower Yankton—$350

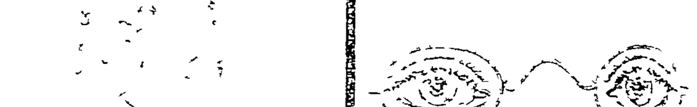
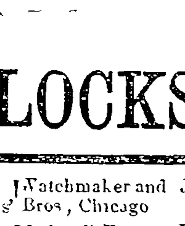
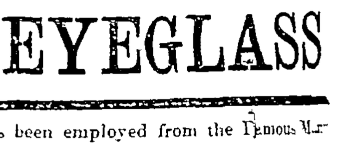
Bartlett Tripp to John Bramsen, warranty deed lot 4, block 8, Lower Yankton—$150

ROYAL BAKING POWDER
Absolutely Pure.
THE ROYAL BAKING POWDER is a Pure Cream of Tartar POWDER
Indorsed and recommended for its wholesomeness by such eminent chemists as Dr Mott New York Dr Hayes Boston Professor Genth Philadelphia etc Sold only in cans by Grocers
Beware of the injurious Alum Powders Manufacturers and dealers urge you to buy them because they can afford to sell them at 20 cts a pound and double their money
Do not buy Baking Powder loose as it is almost sure to contain alum Continued use of it produces griping, constipation indigestion headache, and dyspepsia, affects the blood causes pimples on the face etc

BOOTS AND SHOES

THE LARGEST
STOCK OF
BOOTS AND SHOES
EVER BROUGHT TO YANKTON,
Can be found at the "Down Town" Boot & Shoe Store.
Ladies' Slippers in late styles, and a large stock of them on hand
Gentlemen's Shoes of all kinds. Come and see them and you will be happy.
Always remember the place and don't go astray.
MORRISON'S BLOCK, Capital St.,
JOHN A. WEEKS.

JEWELERY

POTTER & WOOD
JewelerS
Third Street, - - - Yankton, D. T.
We keep a full line of
JEWELRY and PLATED
WARE
COMPRISING
ICE PITCHERS, BUTTER DISHES CASTORS, SALVERS, LADIES' Sets Chains, Bracelets, Rings, Pins, Sleeve and Collar Buttons Napkin Rings and Forks
MUSICAL INSTRUMENTS
Embracing GUITARS, ACCORDEONS, HARMONICAS, VIOLINS, and BANJOS
LEROY W. FAIRCHILD'S PENS.

A Full assortment of

CLOCKS
Lazarus & Morris Perfected

EYEGLASS
A First Class Watchmaker and Jeweler has been employed from the Famous Manufactory of Giles' Bros, Chicago
ORDERS by Mail will Receive Prompt Attention

GROCERIES

The Only Perfect Business
SYSTEM ON EARTH
LAVENDER'S
Cash Grocery House
HAS ADOPTED IT.
NO BAD DEBTS,
No Expenses for Collecting
No Book Accounts,
No Book Keepers
These expenses, saved by the cash system, permit a great reduction in prices and still afford a margin for an honorable profit.
Patrons of Lavender's Cash Grocery House get the benefit of this reduction.
Goods delivered free to any part of the city, and orders from abroad promptly filled.
Third Street,
YANKTON - - D T.

VEGETABLE AND FLOWER SEEDS
WE SELL EVERYTHING FOR THE
GARDEN
SEEDS PLANTS
Descriptive Catalogues of 175 pages sent Free
PETER HENDERSON & CO.
35 Cortlandt St, New York.
FLOWER AND FRUIT PLANTS

John Foerster's
SUPERIOR
BOTTLED LAGER BEER
YANKTON.
1 Doz Quart Bottles, Wrapped and Labeled, $1 75
1 Doz Pint Bottles, Wrapped and Labeled, $1 15
1 Doz Quart Bottles, Plain, $1 50
1 Doz Pint Bottles, Plain $1 00
Cases and Bottles to be Returned
Leave orders at the Brewery Saloon

PHOTOS

S. J. MORROW,
PHOTOGRAPHER
All kinds of work and of first quality Call and examine specimens
Corner of Third & Walnut Streets
"Seeing is Believing."
A fine collection of Stereoscopic Views constantly on hand

SHERIFF'S SALE

TERRITORY OF DAKOTA } ss
Second Judicial District }
In the District Court within and for Yankton County
Emma E Wood Plaintiff
vs
Phillipp Jasmann,
Rosina Jasmann
Defendants

NOTICE IS HEREBY GIVEN That by virtue of a judgment of foreclosure and sale in the above entitled action made and dated the tenth day of December A D 1878 and an execution issued upon said judgment the said ber Millard A Baker sheriff of Yankton County Dakota Territory for that purpose will sell at public auction at the front door of the court house in the city of Yankton County of Yankton Dakota Territory on

Friday, the 21st day of February,

A D 1879 at two o'clock in the afternoon of that day, the real estate and mortgaged premises situate in the county of Yankton Territory of Dakota, and directed in said judgment and execution to be sold and therein described as follows Commencing at the southwest corner of the northeast quarter of the northeast quarter of section thirteen (13) township ninety three (93) range fifty-six (56) the east 193, feet south line of said north quarter five hundred and ninety five feet thence north along the center of the extension of Locust street five hundred and twenty six feet thence west along the line of the lot heretofore deeded by Berger to Fowler to one John Foerster five hundred and ninety five feet to the west line of said northeast quarter of the east quarter, thence south on the west line of said quarter of the quarter five hundred and twenty six feet to the place of beginning or so much thereof as may be sufficient to satisfy said judgment and costs, amounting in all to one thousand two hundred and two dollars and twenty-five cents with interest thereon from the date of said judgment at per cent per annum and all accruing costs of sale

Dated Yankton D T January 3 A D 1879
MILLARD A BAKER,
Sheriff of Yankton Co, D T
N J CRAMER
Plaintiff's Attorney

FORECLOSURE SALE.

NOTICE IS HEREBY GIVEN That by virtue of a special execution to me directed and delivered and now in my hands issued out of the office of the clerk of the second judicial district court within and for the county of Yankton, D T upon a decree of foreclosure and sale rendered and entered in said court on the fourth day of January A D 1879 in an action between [illegible] Warriss plaintiff and James S Foster and [illegible] Foster defendants wherein I am commanded to sell all those certain pieces or parcels of land situate in the city and county of Yankton D T and described as follows to wit lots ten and eleven 10 & 11 of block fifty eight in the city of Yankton and lots ten eleven and twelve 10 11 & 12 of block sixty six in Lower Yankton, according to the recorded plat of the same That I shall on

Friday, the 21st day of February,

A D 1879 at two o clock p m of that day at the front door of the court house in the city and county of Yankton Dakota Territory in obedience to said decree of foreclosure and sale sell the above described property or so much thereof as may be necessary to satisfy plaintiff's judgment amounting to two thousand one hundred and four dollars and fifty three cents with interest thereon from January 4 1879 together with accruing costs to the highest and best bidder for cash

Dated Yankton, D T January 15 1879
MILLARD A BAKER,
Sheriff of Yankton County D T
L G SMITH Plaintiff's Attorney

NOTICE.

UNITED STATES LAND OFFICE }
Yankton Dakota, Jan 8 1879 }

Complaint having been entered at this office by Andreas Saylor against Frost Mueller for abandoning his homestead entry No 1 dated February 25, 1878 upon the northwest quarter section 21 township 96 north range 57 west in Yankton county Dakota territory with a view to the cancellation of said entry the said parties are hereby summoned to appear at this office on the 8th day of February 1879 at 2 o'clock p m to respond and furnish testimony concerning said alleged abandonment

G A WITTER, Register
LOUIS S BAYLESS Receiver

HARNESS

FRED. SCHNAUBER
Manufacturer of
First-Class Harness
And Dealer in
SADDLES, BRIDLES, WHIPS
And all articles in the Harness and Saddlery Line.
Broadway, near Third Street